

URBAN\MUNICIPAL

CAY ON HBL A05

A31

1996

AGENDA

OF THE MEETING OF THE
COUNCIL OF THE
CORPORATION OF THE
CITY OF HAMILTON

NOV. 12, 1996 ...

URBAN/MUNICIPAL
CAYON HBL AOS
A31
1996

1996 November 8



URBAN MUNICIPAL

NOV 11 1996

GOVERNMENT DOCUMENTS

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1996 November 12
7:30 o'clock p.m.
Council Chambers, City Hall**

**J. J. Schatz
City Clerk**

A G E N D A

*The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill*

- 1. National Anthem.**
- 2. Opening Prayer: Father Emeric Fuzy
St. Cyril & Methodius Slovak Roman Catholic Church**
- 3. Presentations:**
 - (a) Traffic Island Beautification Program - Jim Vanderkooy, Principal of the Hamilton District Christian High School will present a cheque in the amount of \$5,000 to Mayor Morrow - Two students from the school will also attend**
 - (b) Chris Hamilton of the Geritol Follies to present 2 plaques to Mayor Morrow from the Lord Provost of Edinburgh and the Lord Provost of Glasgow.**
 - (c) Rev. Melville Bailey to present "The Time of Their Lives" publication to the Mayor**
 - (d) Ross Robinson to present "The Spirit of Hamilton" poem to the Mayor**
 - (e) Mr. Mansaram to present "The Spirit of Hamilton" poem to the Mayor**
 - (f) CERTIFICATE OF RECOGNITION Sarah Spinner**
- 4. Adoption of the minutes of the meeting held 1996 October 29**

ENTRANCE 8-100

ENTRANCE 8-100

- 5. Correspondence\Petitions**
- 6. Reports of the Standing Committees:**
 - (a) *Transport and Environment Committee*
 - (c) *Planning and Development Committee*
 - (d) *Finance and Administration Committee*
- 7. Notices of Motion for next meeting.**
- 8. Question Period.**
- 9. Adjournment.**

MINUTES

Minutes of Hamilton City Council
Tuesday, 1996 October 29
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.

Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

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The National Anthem was played.

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Pastor Jacques Fortin, Notre Dame Perpetual Secours Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 October 8 were adopted as circulated.

PRESENTATIONS

Mayor R. M. Morrow introduced Mr. Pat Collins, Publisher of The Spectator to the Members of Council and gratefully accepted a duplicate cheque in the amount of \$100,000 US Funds payable to the National Hockey League to cover the cost of the city's bid to be presented at the upcoming meeting of the National Hockey League Board of Governors in New York City.

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Mayor R. M. Morrow acknowledged in attendance the following:

Hamilton Beautification Volunteer Committee headed by Chairman, Dale Chapman, and;
Volunteer Pink Trillium Judges and Red Trillium Selection Panel.

* * * * *

Mayor R. M. Morrow presented Certificates of Recognition to the following for their participation as corporate partners for funding the operating costs of the Hamilton Beautification Awards Program:

The Spectator, Union Gas, Landscape Ontario, Dofasco, Metropolitan Hamilton Real Estate Board, and Mills Lighthouse.

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Mayor R. M. Morrow presented the Commercial/Utility Award to Taco Bell, 460 Main Street West to Karen Mulholland and Steve Figliola.

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Mayor R. M. Morrow presented the Pink Trillium Awards to:

Ward 1	212 Ewen Road - Regina Pakalniskis
Ward 2	104 Aberdeen - Marvin Sheppard, Joan Breckles
Ward 3	64 Prospect S. - Kirk Slattery, Mary Fisher-Slattery
Ward 4	69 Fairfield - Ellen Nagata
Ward 5	187 Stewartdale - Irene Russ
Ward 6	91 Milkyway - James and Anna Gibson
Ward 7	1 Belvidere - Ed and Patty Duarte
Ward 8	144 Laurier - Jacqueline Kotzer

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Mayor R. M. Morrow presented the Red Trillium Award to 104 Aberdeen Avenue, Marvin Sheppard and Joan Breckles.

CORRESPONDENCE

1. Application dated 1996 October 1 from 1099689 Ontario Ltd. c/o Micor Developments Inc., 55 Frid Street, Hamilton for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands located south of Kordun Street and west of Upper Paradise.

Received.

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It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Committee of the Whole, be considered in Committee of the Whole with Alderman Anderson in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - FOURTEENTH REPORT

Section 7 Re: Special Occasion Permit for Ivor Wynne Stadium - 1996 Grey Cup

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Jackson. -1.

CARRIED.

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Section 8 Re: Rule No. 9 - Contract - Harm Schilthuis & Sons - Brampton St. and Red Hill Creek.

It was moved by Alderman Eisenberger and seconded by Alderman Collins that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a resolution respecting a contract with Harm Schilthuis and Sons Limited concerning the construction and placement of a pedestrian/vehicle bridge at Brampton Street and Red Hill Creek.

CARRIED.

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Section 8 Re: Contract - Harm Schilthuis & Sons - Brampton St. and Red Hill Creek.

It was moved by Alderman Eisenberger and seconded by Alderman Collins that the Fourteenth Report of the Parks and Recreation Committee for 1996 be amended by adding the following as Section 8.

- "(a) That approval be given to enter into a contract with Harm Schilthuis and Sons Limited, Ancaster, in the amount of \$135,500 plus \$8,000 contingency plus \$10,045 GST, for the construction and placement of a pedestrian/vehicle bridge at Brampton Street and Red Hill Creek, being the lowest acceptable of 4 tenders received in accordance with specifications C15-27-96 issued by the Purchasing Division and Vendor's tender; and,
- (b) That the amount of \$153,545 for the bridge construction be funded from CF5255 639553028 - Red Hill Valley Trails; and,
- (c) That a contract satisfactory to the City Solicitor be entered into between the City and Harm Schilthuis and Sons Limited; and,
- (d) That the Mayor and City Clerk be authorized to execute the contract on behalf of the City."

CARRIED.

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Section 9 Re: Rule No. 9 - Agreement with the Ministry of Transportation

It was moved by Alderman Eisenberger and seconded by Alderman Collins that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a resolution respecting an Agreement between the City of Hamilton and the Ministry of Transportation for the Province of Ontario concerning the use of MTO lands for recreational purposes forming part of the Red Hill Valley Trail System located at No. 570 Nash Road North, Hamilton.

CARRIED.

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Section 9 Re: Agreement with the Ministry of Transportation

It was moved by Alderman Eisenberger and seconded by Alderman Collins that the Fourteenth Report of the Parks and Recreation Committee for 1996 be amended by adding the following as Section 9.

- "(a) That the City of Hamilton enter into an Agreement with The Ministry of Transportation for the Province of Ontario for the use of their lands for recreational purposes forming part of the Red Hill Valley Trail System, located at No. 570 Nash Road North, Hamilton, more particularly described as that part of Lot 28, Broken Front Concession, in the geographic Township of Saltfleet, described as the easterly 3.0 metres in perpendicular width of Part 2 on Plan R-196, the trail being 3 metres (10 feet) more or less, in width and having a length of 480 metres (1,575 feet) more or less, cross the MTO lands, comprising a total area of 1,440 square metres (15,500 square feet) more or less and that the payment of this agreement of \$1 be charged to Account No. CF 639553028 (Red Hill Valley Trail); and,
- (b) That the Agreement be subject to the following terms:
- (i) all costs for construction, maintenance and repair of the trail works be at no cost to the MTO; and,
 - (ii) the agreement, all or in part, be able to be terminated upon sixty (60) calendar days written notice from the MTO or the City; and,
 - (iii) upon termination all rights, title and interest in that portion of the trail works terminated be conveyed for a nominal fee of \$1 from the City of Hamilton to the MTO; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor."

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - SEVENTEENTH REPORT
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Section 3(c) Re: Appendix "E"

It was moved by Alderman Drury and seconded by Alderman D'Amico that Appendix "A" subsection (d) of Appendix "E" as referred to in Section 3 (c) of the Seventeenth Report of the Planning and Development Committee for 1996 be amended by changing the Interest on arrears from "6% per annum compounded annually" to the following:

"Interest on arrears: 12.9996% per annum or such tax arrears interest rate established by Council" **CARRIED.**

FINANCE & ADMINISTRATION COMMITTEE - SEVENTEENTH REPORT

Section 5 Re: Minister of Health - Hamilton Health Sciences Corporation - Petition

It was moved by Alderman Copps and seconded by Alderman Wilson that the following be added as Sub-section (b) of Section 5 of the Seventeenth Report for 1996 of the Finance and Administration Committee:

- (b) That copies of this resolution be forwarded to all local members of the Provincial Legislature, Regional Council and Members of the new Hospital Board. **Carried Unanimously.**

Recorded vote as amended.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: -0.

CARRIED.

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Section 6 Re: Acquisition of lands - 571 Kenilworth Avenue

It was moved by Alderman Charters and seconded by Alderman Copps that Section 6 of the Seventeenth Report for 1996 of the Finance and Administration Committee be amended to add the following words at the end of sub-section (a): "at an upset limit of \$60,000 to sign an Offer to Purchase no later than 1997 January 15th".

Recorded vote as amended.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Jackson, Merling, Anderson, D'Amico, Ross. -16.

NAYS: Alderman Charters. -1.

CARRIED.

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Section 14 Re: Rule No. 9 - Hosting of Canadian Open Martial Arts Championships

It was moved by Alderman Charters and seconded by Alderman Merling that Rule No. 9 of the Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the Canadian Open Martial Arts Championships being held at Sherwood High School on 1996 November 16th and 17th. **CARRIED.**

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Section 14 Re: Hosting of Canadian Open Martial Arts Championships

It was moved by Alderman Charters and seconded by Alderman Merling that the following be added as Section 14 of the Seventeenth Report for 1996 of the Finance and Administration Committee as follows:

14. (a) That approval be given to an amount of \$300 for Joslin's Karate and Kickboxing Ltd. to assist in the hosting of the Canadian Open Martial Arts Championships being held at Sherwood High School on 1996 November 16th and 17th; and
- (b) That funding for this amount be derived by an approved overdraft of the Convention/Reception Grant Allocation Account Number CH5A050 20020. **CARRIED.**

COMMITTEE OF THE WHOLE - SEVENTH REPORT
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Section 1 (a) Re: H.E.C.F.I. - National Hockey League - formal bid

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

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Section 1 (b) Re: H.E.C.F.I. - Application to Province of Ontario to own sports franchise

Recorded vote.

YEAS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. - 15.

NAYS: Aldermen Kiss, Copps. -2.

CARRIED.

RESOLUTIONS

Rule No. 9 Re: Hamilton Health Sciences Corporation

It was moved by Alderman Eisenberger and seconded by Alderman Caplan that Rule No. 9 of the City's Procedural By-law be invoked for this meeting of City Council in order to permit consideration of a resolution respecting the Hamilton Health Sciences Corporation.

CARRIED.

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Re: Hamilton Health Sciences Corporation

It was moved by Alderman Eisenberger and seconded by Alderman Caplan that the following motion be referred to the Finance and Administration Committee:

"That Council be requested to not forward the remaining allocated funds budgeted for in 1985 for the Chedoke-McMaster Hospitals".

CARRIED.

ACTING MAYOR FOR THE MONTH OF NOVEMBER, 1996

It was moved by Alderman Kiss and seconded by Alderman Caplan that Alderman F. D'Amico be appointed Acting Mayor for the month of November, 1996. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Committee of the Whole and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17.

NAYS: -0.

CARRIED.

City Council then adjourned at 9:30 o'clock p.m.

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 October 29
JJS/dg

CORRESPONDENCE

NO CORRESPONDENCE AT TIME OF PRINTING

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **FIFTEENTH** Report for 1996 and respectfully recommends:

1. That the appropriate by-law for the sale of the subject land being described as part of the 11 foot alley on Registered Plan 224, being parallel to Tisdale Street, between King Street and Main Street, designated as Parts 1, 2 and 3, on Plan 62R-5120 and Parts 1 and 2, on Plan 62R-13270, as closed by Judge's Order 174069 VM, be enacted.
2. That the appropriate by-law for the sale of the subject land being described as part of the alley lying north of Lot 6, as closed by Judge's Order VM232957, on Registered Plan 31, designated as Part 1, on Plan 62R-13138, be enacted.
3.
 - (a) That a "Two Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on both sides of Wilmont Court between Royal Avenue and the southerly end; and,
 - (b) That a "One Hour Parking Time Limit, 8:00 a.m. to 5:00 p.m., Monday to Friday" regulation be implemented on the south side of Royal Avenue between Bowman Street and Stroud Road and on the south side of Delbrook Court from Stroud Road to the west curb line of Delbrook Court; and,
 - (c) That the City Traffic By-law No. 89-72 be amended accordingly.
4.
 - (a) That an "Alternate Side Parking" regulation be implemented on Rangeview Court such that parking is prohibited:
 - (i) on the east side of the street during the months of December, January, February and March and from the 1st to the 15th day of April, May, June, July, August, September, October and November

- (ii) on the west side of the street from the 16th to the last day of April, May, June, July, August, September, October and November; and,
 - (b) That the City Traffic By-law No. 89-72 be amended accordingly.
5. That the existing "Alternate Side Parking" regulation on Gladstone Avenue between Cumberland Avenue and Delaware Avenue be replaced with a "No Parking Anytime" regulation on the west side and that the City Traffic By-law No. 89-72 be amended accordingly.
6. (a) That a "Permit Parking" regulation be implemented on the north side of Afton Avenue commencing at a point 95 feet east of Balsam Avenue South and extending to a point 20 feet easterly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Eleanor Ogxton, No. 129 Afton Avenue.
7. (a) That a "Permit Parking" regulation be implemented on the east side of Tisdale Street South commencing at a point 176 feet north of the east/west leg of Tisdale Street South and extending to a point 21 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,
- (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. MacEwen, No. 75 Tisdale Street South.
8. That a "Permit Parking" regulation be implemented on the north side of Somerset Avenue commencing at a point 75 feet west of Barnesdale Avenue North and extending to a point 18 feet westerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

9. That the hours of the existing "Wheelchair Loading Zone, 9:00 a.m. to 10:00 p.m., Monday to Friday" regulation on the west side of Tragina Avenue North commencing at a point 66 feet south of Vansitmart Avenue and extending to a point 23 feet southerly therefrom, be revised, such that the regulation is in effect from 8:00 a.m. to 11:00 p.m., Monday to Friday and that the City Traffic By-law No. 89-72 be amended accordingly.
10. That the existing "Permit Parking" regulation on the north side of Huron Street commencing at a point 96 feet west of Stirton Street and extending to a point 21 feet westerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
11. That the existing "Permit Parking" regulation on the south side of Wood Street East commencing at a point 133 feet east of Ferguson Avenue North and extending to a point 24 feet easterly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
12. That a "Wheelchair Loading Zone, 24 hours a day, seven days a week" regulation be implemented on the west side of Delena Avenue North commencing at a point 308 feet south of Dunsmure Road and extending to a point 22 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
13. (a) That a "Permit Parking" regulation be implemented on the east side of John Street North commencing at a point 74 feet south of Picton Street East and extending to a point 17 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,
(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mrs. Sara Alaimo, No. 426 John Street North.
14. (a) That the existing residential boulevard parking agreement registered as Instrument No. 490908 C.D. to the property at No. 422 John Street North be amended at the property owner's expense; and,

- (b) That the City Solicitor be authorized and directed to process the documents in relation to the amendment of this agreement.
- 15. That a "Wheelchair Loading Zone, 24 hours a day, seven days a week" regulation be implemented on the east side of Norman Street commencing at a point 107 feet north of Campbell Avenue and extending to a point 35 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
- 16. (a) That a "Permit Parking" regulation be implemented on the west side of New Street commencing at a point 31 feet north of Main Street West and extending to a point 23 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Mr. Gordon Ferris, No. 78 New Street.
- 17. That northbound traffic on Acadia Drive (west leg) be required to stop for eastbound and westbound traffic on Acadia Drive (north leg) and that the City Traffic By-law No. No. 89-72 be amended accordingly.
- 18. That four-way stop control be implemented at the intersection of Ferrie Street East and Hughson Street North, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 19. That eastbound traffic on Sedona Court and on Jacqueline Boulevard be required to stop for northbound and southbound traffic on Upper Wellington Street and that the City Traffic By-law No. 89-72 be amended accordingly.
- 20. That a "No Stopping" corner clearance be implemented on the south side of Lavina Crescent commencing at Magnolia Drive and extending to a point 36 feet westerly therefrom and on the west side of Magnolia Drive commencing at Lavina Crescent and extending 31 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

21. That three-way stop control be implemented at the intersection of Margate Avenue and Southwood Drive and that the City Traffic By-law No. 89-72 be amended accordingly.
22. That the Public Works and Traffic Department be authorized to develop a traffic safety training program for elementary school students in Hamilton.
23. That a purchase order be issued to Niagara Paint Inc., Hamilton, Ontario, for the supply and delivery of traffic paint as and when required during 1997 by the Public Works and Traffic Department, being the lowest of five bids received and being in accordance with the specifications issued by the Purchasing Division's tender, and that the estimated expenditure of \$200,000 be financed through the Pavement Markings Account No. CH56153 75999.
24. That the duration of the parking meters on the north side of Hunter Street between John and James Streets be switched from 15 minutes to 1 hour, except for the first two meters immediately east and west of Hughson Street which will remain at 15 minute duration and that the City Traffic By-law No. 89-72 be amended accordingly.
25.
 - (a) That a School Crossing Guard be assigned to the intersection of Arnold Street and Dalewood Avenue during the morning and evening school crossing periods only for the balance of 1996 and up until the approval of the 1997 Departmental Budget; and,
 - (b) That consideration be given in the 1997 Current Budget deliberations for an expansion package of \$4,000 plus administrative costs for a School Crossing Guard at this location on a permanent basis.
26.
 - (a) That a School Crossing Guard be assigned to the intersection of Queen Victoria Drive and Redbury Street during the morning and evening school crossing periods only for the balance of 1996 and up until the approval of the 1997 Departmental Budget; and,
 - (b) That consideration be given in the 1997 Current Budget deliberations for an expansion package of \$4,000 plus administrative costs for a School Crossing Guard at this location on a permanent basis.

27. (a) That a School Crossing Guard be assigned to the intersection of Barton Street East and Gage Avenue North during the morning and evening school crossing periods only for the balance of 1996 and up until the approval of the 1997 Departmental Budget; and,
- (b) That consideration be given in the 1997 Current Budget deliberations for an expansion package of \$4,000 plus administrative costs for a School Crossing Guard at this location.
28. (a) That a purchase order be issued to Econolite Canada Limited for the supply and delivery of vehicle signal heads as and when required in 1997 by the Traffic Division at the unit prices listed below, plus applicable taxes, being the lowest acceptable bid received for these items in accordance with the specifications issued by the Purchasing Division and Vendor's bid:
- | | | |
|-------|--|----------------|
| (i) | Vehicle Heads (Red/Amber/Green) | \$172.58 |
| (ii) | Vehicle Heads (Red/Amber/Green/Amber Arrow/Green Arrow) | \$322.59 |
| (iii) | Vehicle Heads (Red Ball/8" Amber Ball/Green Arrow) | \$211.56 |
| (iv) | Vehicle Heads (Red Ball/12" Amber Ball/Green Arrow) | \$224.17 |
| (v) | Vehicle Heads (Red Ball/Amber Ball/Green Ball/Green Arrow) | \$265.75 |
| (vi) | Pedestrian Pushbutton Pelco SE-2002 | \$ 29.15 |
| (vii) | Pedestrian Pushbutton Pelco SE-2007 | \$ 29.15; and, |
- (b) That a purchase order be issued to Tacel Limited for the supply and delivery of pedestrian signal heads as and when required in 1997 by the Traffic Division at the unit prices listed below, plus applicable taxes, being the lowest acceptable bid received for these items in accordance with the specifications issued by the Purchasing Division and Vendor's bid:

(viii) Pedestrian Signal Heads \$131.00; and,

- (c) That the purchases be financed through Traffic Signals Materials Account No. 56152-75999.

29. That a purchase order be issued to Fortran Traffic Systems Ltd., Scarborough, Ontario, for the supply and delivery of traffic signal controllers as and when required in 1997 by the Traffic Division, at the unit prices noted below, plus applicable taxes, in accordance with the specifications issued by Purchasing and Vendor's tender, and to be financed through Traffic Signals Materials Account No. 56152-75999.

- | | | |
|-----|---|-----------------|
| (a) | 36 circuit fully actuated solid state controllers | \$6,694.20 each |
| (b) | 24 circuit fully actuated solid state controllers | \$5,847.00 each |
| (c) | 24 circuit pretimed solid state controllers | \$5,842.37 each |
| (d) | area master controllers | \$3,855.80 each |
| (e) | communications modules | \$ 430.00 each |
| (f) | portable data transfer units | \$3,855.00 each |

30. (a) That the following streets or sections of streets be designated as Snow Emergency Routes and added to the snow route system:

- (i) Longwood Road from Franklin Avenue to Macklin Street
- (ii) Anchor Road from Stone Church Road East to Harlowe Road
- (iii) Bigwin Road from Pritchard Road to Anchor Road
- (iv) Harlowe Road from Pritchard Road to Anchor Road; and,

- (b) That the City of Hamilton Traffic By-law No. 89-72 be amended accordingly.

31. (a) That the following City land be incorporated into the following streets:

Jeremy Street	Parcel A	Registered Plan 1053
Supreme Drive	Block 38	Plan 62M-715
Fano Drive	Block 30	Plan 62M-752
Gagliano Drive	Block 32	Plan 62M-622
	Block 36	Plan 62M-781
Eaglewood Drive	Block 21	Plan 62M-643
	Block 31	Plan 62M-622
	Parts 1,3,4,7,8,11,12	Plan 62R-9927; and,

- (b) That the By-laws to carry out the incorporation of the said land into the foregoing streets be enacted by Council; and,
- (c) That the Commissioner of Transportation be authorized and directed to register the By-laws.

32. (a) That the submitted schedules of works be adopted for inclusion in the Subdivision Agreement with the Owner for the estimated costs of services in:

"SAN LORENZO HEIGHTS - PHASE 2", Hamilton

City's Share, \$25,772 Owner's Share, \$151,588

"CLAUDETTE GARDENS - PHASE 8", Hamilton

City's Share, \$ Nil Owner's Share, \$69,809.08; and,

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Subdivision Agreement with the Owner's of "San Lorenzo Heights - Phase 2" and "Claudette Gardens - Phase 8", Hamilton as well as any other related documents for these Subdivisions subject to the approval of the City Solicitor; and,
- (c) That the approval of the above-noted clauses be subject to the condition that no work be commenced until the Final Plan and Subdivision Agreement has been registered; and,

- (d) In the event that the Owners wish to proceed prior to the registration of the Final Plan and Subdivision Agreement being registered, they should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing; and,
 - (e) That the City's share of services in "San Lorenzo Heights - Phase 2", Hamilton (\$25,772) be approved and financed from Account Centre No. 00107 - Reserve for Services Through Unsubdivided Lands.
33. (a) That the Council approval of the Encroachment Agreement for a portion of the building and veranda for No. 310 Robert Street, approved on 1996 March 12 as Section 12 of the Fourth Report of the Transport and Environment Committee for 1996, be rescinded; and,
- (b) That the City Treasurer be authorized and directed to reimburse the owner of No. 310 Robert Street \$158.
34. (a) That the application of the Hess Village Merchants Association, representing the owners and operators of Municipal Nos. 13, 15, 18, 20, 24, 25 and 33, Hess Street South, to reestablish their Outdoor Patio Cafe Agreements on the weekend of the Grey Cup, 1996 November 21, 22, 23, and 24, be approved, subject to the following conditions:
- (i) That the prior approval of the Chief of Police or his designate be received, and that such permits or authorizations as may be required by the Chief of Police or his designate be obtained; and,
 - (ii) That all barricading be supplied by and at the expense of the applicant; and,
 - (iii) That the applicant provide proof of \$5,000,000 public liability insurance and liquor liability naming the Region and the City of Hamilton as an added insured party with a provision for cross liability, and holding the Region and the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

- (iv) That the Liquor Licence Board of Ontario issue a temporary extension of liquor licence for the 1996 Grey Cup Downtown Festival, from Thursday, 1996 November 21 to Sunday, 1996 November 24; and,
 - (v) That the applicant adhere to the regulations stipulated by the Liquor Licence Board of Ontario in the provision of alcohol; and,
 - (vi) That Special Duty Officers as deemed necessary by the Hamilton-Wentworth Regional Police, be provided at the applicant's expense; and,
 - (b) That the Liquor Licence Board of Ontario be advised that the City of Hamilton has no objection to the issuance of a temporary extension of liquor licence for the 1996 Grey Cup Downtown Festival on the Hess Street, from Thursday, 1996 November 21 to Sunday, 1996 November 24.
35. That purchase orders be issued for the supply and delivery of Highway Salt and Treated Screened Sand as and when required during the 1996/97 Winter Season by the Public Works and Traffic Department in accordance with specifications issued by Purchasing and Vendors' tenders and be financed through Stock Materials Account No. CH56197 60999, as follows:

<u>Sifto Salt</u>	<u>Delivered</u>
Highway Salt	\$36.65
Purchased before 1996 November 30	\$35.00
Terms of Discount: 1%, 15 days; net 30	

<u>Washington Sand</u>	
Mixture	Price Per Tonne
1 to 3½	\$11.71
1 to 5	9.65
1 to 10	6.93
Delivery Charge	4.26

36. (a) That the Chairman or his designate be authorized to attend the Ontario Good Roads Association 1997 Annual Conference to take place on 1997 February 23 to February 26 at the Royal York Hotel, Toronto; and,

- (b) That costs for attendance be charged to Aldermen Travel Account No. CH55201 10010 in 1997.

37. That the Commissioner of Public Works and Traffic be authorized and directed to negotiate a three year price protected quotation for hot-in-place asphalt recycling on City of Hamilton streets at a price not to exceed \$3.38/m² based on a minimum 300,000m² per year with H.I.P. Hot-in-Place Recycling Equipment Inc.
38. That the West Central Branch of the Ministry of Environment and Energy (MOEE) be advised that the City of Hamilton objects to Provincial Environmental Services receiving a Certificate of Approval for a Waste Disposal Site (Processing) for the site located at No. 97 Frid Street, Hamilton.

NOTE: This issue lost on a tie vote at the Transport and Environment Committee. At the direction of the Committee and in accordance with City Procedural By-law No. 95-167 Section 36 (b), it is presented as a negative recommendation.

39. (a) That the City owned lands being bound by Sherman Avenue North, Burlington Street East, Birch Avenue and Brant Street, Hamilton, more particularly being firstly, part of Lots 65, 66 and 71; all of Lots 67, 68, 69 and 70; and part of Reserve "D", Registered Plan 471, designated as Part 4 on Plan 62R-12643; part of Reserves "C" and "E"; all of Lots 62 and 73; and part of Lots 63 and 74, Registered Plan 471, designated as Part 5 on Plan 62R-12643; all of Lots 1, 2, 3, 4, 5, 45, 46, 47, 48, 49, 50, 51, 52 and 53; and part of Lot 54, Registered Plan 471, designated as Part 8 on Plan 62R-12643; part of Lot 9, Concession 1, in the Geographic Township of Barton and part of Lots 5, 10 and Reserve; and all of Lots 6, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, Registered Plan 547, designated as Part 9 on Plan 62R-12643, (save and accept Part 2 on Plan 62R-13894), comprising a total area of .997 hectares (2.463 acres) more or less; secondly, part of Gerrard Street, Registered Plan 471, more particularly described as Parts 6 and 7 on Plan 62R-12643, comprising a total area of 0.203 hectares (0.502 acres) more or less, save and except the westerly one foot thereof be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law No. 95-049, for the purpose of selling the property; and,

- (b) That an Offer to Purchase (Highway Closure) Agreement, to be executed by Philip Enterprises Inc., and scheduled to close on or before 1997 June 30, for the lands being bound by Sherman Avenue North, Burlington Street East, Birch Avenue and Brant Street, Hamilton, more particularly being firstly, part of Lots 65, 66 and 71; all of Lots 67, 68, 69 and 70; and part of Reserve "D", Registered Plan 471, designated as Part 4 on Plan 62R-12643; part of Reserves "C" and "E"; all of Lots 62 and 73; and part of Lots 63 and 74, Registered Plan 471, designated as Part 5 on Plan 62R-12643; all of Lots 1, 2, 3, 4, 5, 45, 46, 47, 48, 49, 50, 51, 52 and 53; and part of Lot 54, Registered Plan 471, designated as Part 8 on Plan 62R-12643; part of Lot 9, Concession 1, in the Geographic Township of Barton and part of Lots 5, 10 and Reserve; and all of Lots 6, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, Registered Plan 547, designated as Part 9 on Plan 62R-12643, referred to as Blocks AA, BB, CC and DD on Schedule "B" attached to the agreement, (save and accept Part 2 on Plan 62R-13894, as Schedule "C" attached to the agreement), comprising a total area of .997 hectares (2.463 acres) more or less; secondly, part of Gerrard Street, Registered Plan 471, more particularly described as Parts 6 and 7 on Plan 62R-12643, comprising a total area of 0.203 hectares (0.502 acres) more or less, save and except the westerly one foot thereof which is not included in this sale to the Purchaser be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law No. 95-049, for the purpose of selling the property, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and the funds derived from this sale of \$348,750, be credited to Account No. CF4402 308750001 (Land Sales - Enclave Clearance Program); and,
- (c) That the required deposit cheque in the amount of \$17,437.50 be held by the City Treasurer pending Council approval; and,
- (d) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor; and,
- (e) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (i) satisfactory notice has been given to the public of the intended sale; and,

- (ii) no appraisal of the fair market value of the real property intended to be sold was obtained as industrial lands and highway closures and sales are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,
- (iii) the City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.

40. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-56 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (b) A-57 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (c) A-58 A By-law to Incorporate City Land Designated as Parcel A, Registered Plan 1053 into Jeremy Street
- (d) A-59 A By-law to Incorporate City Land Designated as Block 38, on Plan 62M-715 on Supreme Drive
- (e) A-60 A By-law to Incorporate City Land Designated as Block 30, on Plan 62M-752 into Fano Drive
- (f) A-61 A By-law to Incorporate City Land Designated as Block 32, on Plan 62M-622 and Block 36, on Plan 62M-781 into Gagliano Drive
- (g) A-62 A By-law to Incorporate City Land Designated as Block 21, on Plan 62M-643, Block 31, on Plan 62M-622 and Parts 1, 3, 4, 7, 8, 11 and 12 on Plan 62R-9927 into Eaglewood Drive
- (h) A-63 A By-law to Authorize the Sale of the Closed Alley Parallel to Tisdale Street, between King Street and Main Street, as closed by Judge's Order 174069 VM, Designated as Parts 1 and 2, on Plan 62R-13270 and Parts 1, 2 and 3, on Plan 62R-5120

1996 November 12

- (i) A-64 A By-law to Authorize the Sale of Part of the Alley Adjacent to 95 Ferguson Avenue South, as closed by Judge's Order VM232957, Designated as Part 1, on Plan 62R-13138

Respectfully Submitted,

Kevin C. Christenson
Secretary

ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE

1996 November 4

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **EIGHTEENTH** Report for 1996 and respectfully recommends:

1. That Zoning Application 96-06, Harnox Holdings Ltd., owner, requesting a modification to the established "HH" (Restricted Community Shopping and Commercial, etc.) District for lands located at 1051 Upper James Street, to permit a residential care facility for 115 residents, as shown on the attached map marked as APPENDIX "A", be **DENIED** on the following basis:
 - (a) It conflicts with the intent of the Official Plan in that the proposal does not provide adequate amenity area for the residents and adequate on-site parking in that 39 spaces are required to be provided whereas 19 on-site spaces can be provided;
 - (b) The proposal represents an over intensification of the site in that residential care facilities with a maximum capacity of 20 residents are permitted as-of-right in other commercial districts such as the "H" District and "I" District. The proposed capacity is 5.75 times higher than the maximum number of residents permitted in other commercial districts. Such a facility would be considered to be an institutional use and therefore is contrary to the intent and philosophy off the By-law which was developed to promote smaller facilities which approximates a family housing arrangement.
2. That the total outstanding Commercial Loan for Trillion Investment Corporation, c/o Mr. Peter Jovanovich, 345 James Street North, Hamilton, in the amount of nine thousand, nine hundred and seventy dollars and twenty-eight cents (\$9,970.28) be placed on the tax rolls.
3. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of two thousand dollars (\$2,000) be approved for Emily Archer, 327 Hixon Road, Hamilton. The interest rate will be 8 per cent amortized over 5 years.
4. That approval be given to a request by Neon Products Limited on behalf of the owner Queenston Chev Olds, owner of the lands at 282 Centennial Parkway North, as shown on the attached map marked as APPENDIX "B", to exempt the proposed ground (pylon) signs from Site Plan Control procedures subject to the approval of the Committee of Adjustment for the following variances:

- (a) to reduce the required front yard for three ground (pylon) signs from 6.0m to 3.048m; and,
 - (b) to permit the height of the three ground (pylon) signs to be 10.7m (35ft.), 8.53m (28 ft.), and 6.0m (19.6 ft.) instead of the maximum 6.0m.
5. That the City of Hamilton accept the sum of \$40,000. as a cash payment in lieu of the 5% land dedication in connection with Gagliano Gardens Addition, Hamilton, being the cash payment required under Section 51.1 of the Planning Act.
6. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) C-63 A By-law to Amend By-Law No. 93-167 Respecting Building Permit Fees.
 - (b) C-64 A By-law to Designate Downtown Hamilton As A Community Improvement Project Area.
 - (c) C-65 A By-law to Adopt The Downtown Hamilton Community Improvement Plan.

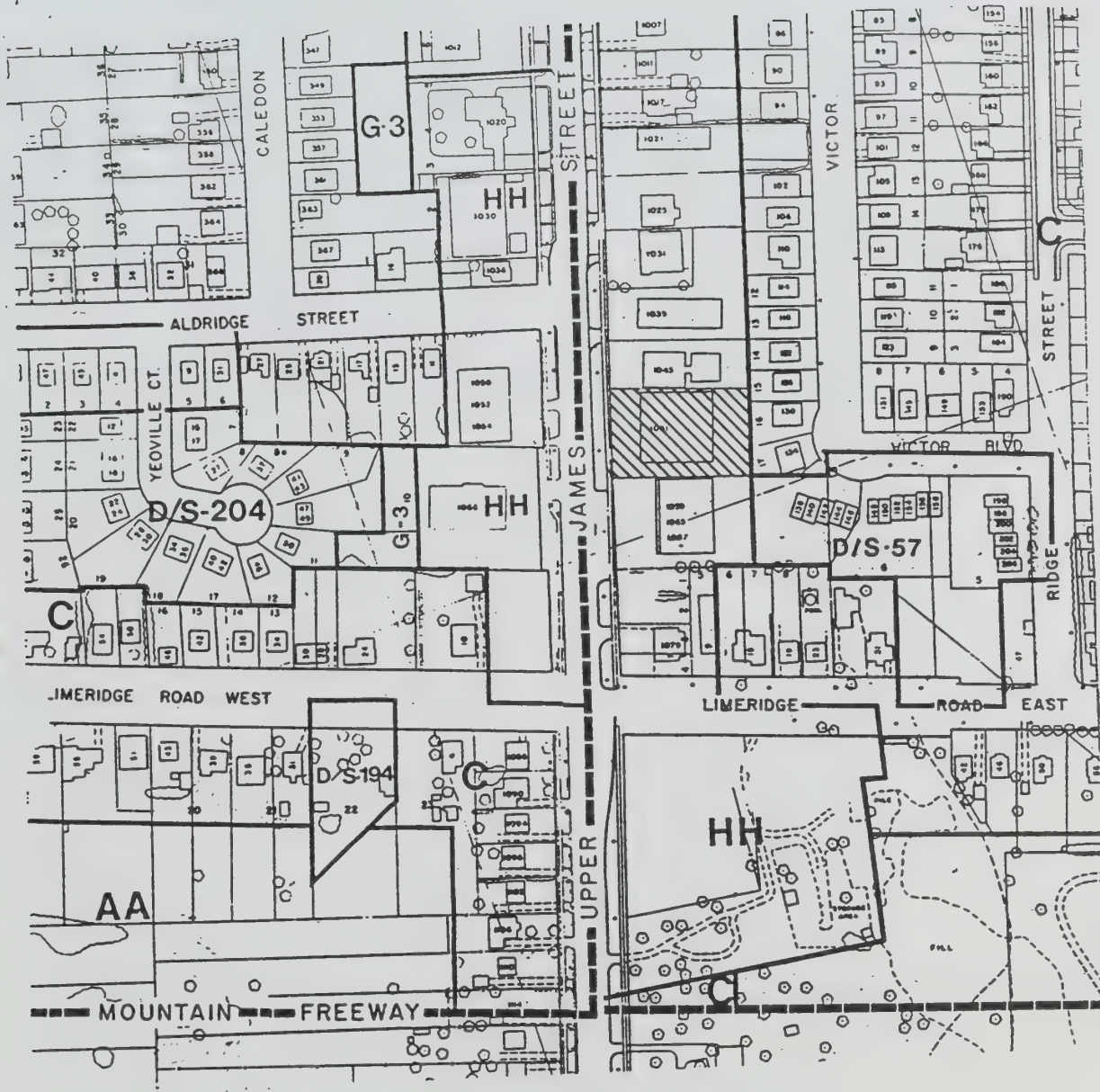
Respectfully submitted,

**ALDERMAN F. D'AMICO, VICE-CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 November 6**

1996 November 12

Appendix "A" referred to in
Section 1. of the **EIGHTEENTH**
Report of the Planning and Development
Committee for 1996.



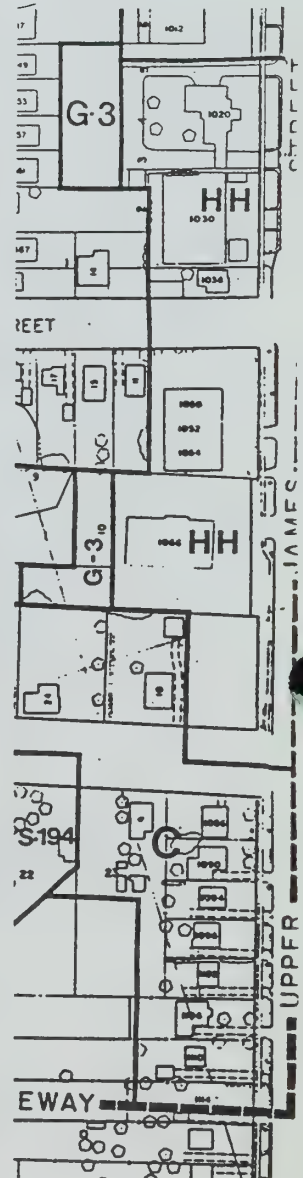
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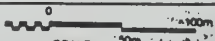


Site of the Application

ZAC-96-06

Appendix "B" referred to in
Section 4. of the **EIGHTEENTH**
Report of the Planning and
Development Committee for 1996.



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<p style="font-size: 0.8em; margin: 0;">This is not a Legal Document For Zoning Verification Please Contact City Building Department.</p>										
<p style="font-size: 0.8em; margin: 0;">Neighbourhood Boundary Zoning Boundary</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> <p style="font-size: 0.8em; margin: 0;">PLANNED UNIT NO.</p> <p style="font-size: 1.5em; margin: 0;">6410</p> </td> <td style="width: 50%; padding: 5px;"> <p style="font-size: 0.8em; margin: 0;">PAGE NO.</p> <p style="font-size: 1.5em; margin: 0;">94</p> </td> </tr> </table>	<p style="font-size: 0.8em; margin: 0;">PLANNED UNIT NO.</p> <p style="font-size: 1.5em; margin: 0;">6410</p>	<p style="font-size: 0.8em; margin: 0;">PAGE NO.</p> <p style="font-size: 1.5em; margin: 0;">94</p>							
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Site of the Appl

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **EIGHTEENTH** Report for 1996 and respectfully recommends:

1.
 - (a) That the Liquor Licence Board of Ontario be advised that the City of Hamilton is aware of the application of The Prince Edward Tavern, 737 Barton Street East for a temporary extension of their liquor licence to operate a beer tent on their parking lot from Friday, 1996 November 22nd until Sunday, 1996 November 24th; and,
 - (b) That the Liquor Licence Board of Ontario be advised that conditional upon the requirements of the Hamilton-Wentworth Regional Police being satisfied, that the City has no objection to the issuance of a Temporary Extension of Liquor Licence.
2.
 - (a) That the City be authorized to enter into an Extension Agreement, if required, in a form satisfactory to the City Solicitor and the City Treasurer pursuant to Section 8 of the Municipal Tax Sales Act, with the owner of the following property to extend the time open for payment of realty tax arrears in accordance with the policy for extension agreements approved by City Council on 1994 June 28:

234 Graham Ave S.
 - (b) That the by-law to authorize the said Extension Agreement be enacted by Council; and,
 - (c) That the Mayor and City Clerk be authorized to execute the aforesaid by-law and extension agreement.
3. That a purchase order be issued to Regional Ford New Holland Ltd., Freeleton in the amount of \$75,210, including all applicable taxes, for the replacement of Units 9504 and 9050 for Fleet Services, being the lowest total acquisition cost of three tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No's. CH5X503 00101 and CH5X505 00101.

4. That a purchase order be issued to Regional Ford New Holland Ltd., Freelon in the amount of \$22,425, including all applicable taxes and trade-in, for the replacement of Unit 9410 for Fleet Services, being the lowest total acquisition cost of two tenders received in accordance with specifications issued by Purchasing and Vendor's tender, and be financed through the Reserve for Mobile Equipment Account No. CH5X503 00101.
5. That the following H.E.C.F.I. Capital Accounts with \$39,710.46 of excess financing be returned to the H.E.C.F.I. Reserve Account for Capital Projects:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended-Committed to Date	Balance Available
CF 929151021	Studio Theatre Equipment and Chairs	\$ 80,000.00	\$ 79,340.65	\$ 659.35
CF 929241004	Hamilton Place - Barrier Free Accessibility	\$ 75,000.00	\$ 68,678.23	\$ 6,321.77
CF 929251006	Replace/Renovate Facilities and Equipment	\$175,000.00	\$172,551.02	\$ 2,448.98
CF 929441029	Hamilton Place Sound Reinforcement System	\$240,000.00	\$236,934.64	\$ 3,065.36
CF 929541017	Convention Centre Repair Exterior Walkway	\$ 70,000.00	\$ 70,000.00	0
CF 929541019	Hamilton Place Modify Entrance Doors	\$ 60,000.00	\$32,785.00	\$27,215.00
TOTAL:				\$39,710.46

6. That the listing of Appointments to and Terminations from Permanent Positions with the Corporation of the City of Hamilton to 1996 October 24, attached herewith and marked Appendix "A", be approved.
7. (a) That staff, including representatives from the Culture and Recreation Department, negotiate with the Art Gallery of Hamilton to develop an agreement for the provision of a municipal art gallery; and,
 - (b) That the Art Gallery of Hamilton be requested to advise the City of its review of the Assessment Act and the exemption for a "public commission".

8. (a) That the City Clerk be authorized to place an advertisement in the 1996 Grey Cup Souvenir Magazine promoting the City of Hamilton at an estimated cost of \$1,850; and,

(b) That funding for this expenditure be charged to Account No. CH56302-12001 (Advertising and Promotion).
9. That approval be given to The Hamilton and District Chamber of Commerce to use the City of Hamilton Coat of Arms on saleable merchandise for the purpose of promoting the City, subject to the specific list of items to be sold receiving the approval of the Finance and Administration Committee.
10. That City Council consent to the use of the name "Hamilton" in the proposed incorporation of "Research St. Joseph's - Hamilton".
11. (a) That the City of Hamilton purchase a table of 10 at a cost of \$600 for the 1996 Awards Dinner for the Hamilton Gallery of Distinction to be held on Wednesday, 1996 November 13th at the Hamilton Convention Centre; and,

(b) That funding for this expenditure be charged to the Unclassified Account No. CH 55113 24201.
12. (a) That the City Treasurer cease participation with Mississauga and Scarborough in the joint development and implementation of a new computerized taxation system; and,

(b) That the City Treasurer undertake changes to the existing tax system in order to accommodate the millennium; to develop software to manage and implement the Actual Value Assessment being proposed by the Provincial Government, and modify the current system in order to automate a number of the tax processes; and,

(c) That the City Treasurer take the appropriate steps to acquire a point of sale system for the implementation of customer service improvements within the taxation area.

13. (a) That the appointments for the City's Insurance Brokers of Records, Johnson & Higgins Ltd. (liability insurance) and Alexander & Alexander Reed Stenhouse (property insurance) be extended from 1996 December 1 to 1997 September 1; and,

(b) That the City Solicitor be authorized to initiate a Request for Proposal in respect of the appointment of Insurance Broker(s) of Record responsible for the City's insurance portfolio and related risk management services.
14. That the following properties be declared surplus to the requirements of the City in accordance with the Realty Sales Procedural By-law 95-049, in order that action may be taken to dispose of same:
 - (a) 280 Cumberland Avenue
 - (b) 84 Poulette Street
 - (c) 1 Spruceside Avenue
 - (d) 70 Lake Avenue North
 - (e) 203 Paradise Road North
15. (a) That the City of Hamilton provide funding in the amount of \$7,500 for the City's hosting of the 1996 Federation of Canadian Municipalities Big City Mayors Caucus Meeting being held in Hamilton on 1996 November 21st to 24th; and,

(b) That funding for this hosting be charged to Account CH 54307 80040 (Hosting of Conference with Municipal Subject Content).
16. (a) That Management Team present to the Committee of the Whole by 1997 February 25, a report as part of the 1997 Budget deliberations, on the service level, staffing and financial impacts of a zero percent tax increase based on 1997 Maintenance Budgets; and,

(b) That all Boards, Sub-Committees and other discretionary activities be asked to participate equally with respect to corporate reduction targets; and,

(c) That Local Boards (H.E.C.F.I., Library and Parking Authority) be requested to make presentation to the Committee of the Whole during 1997 Budget deliberations with respect to their operating budgets and their Service/Business Plans; and,

- (d) That Expansion Packages be considered as additions to the mill (tax) rate; and,
 - (e) That the timetable for considering the 1997 Current and Capital Budgets, attached hereto as Appendix "B" be approved.
17. (a) That a letter be sent to the Assessment Division of the Ministry of Finance requesting that they assess that portion of the retail floor space in Phase IV of Jackson Square occupied by non profit organizations, the same as the third floor of the Hamilton Eaton Centre; and,
- (b) That a letter be sent to the Management of Lloyd D. Jackson Square requesting that they not proceed with the eviction of all non profit organizations from the retail floor space in Phase IV.
18. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) D-56 A By-law to Authorize an Extension Agreement for Payment of Realty Tax Arrears.
 - (b) D-57 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Kevin C. Christenson
Acting Secretary
1996 November 5**

1996 November 12

Appendix "A" referred
to in Section 6 of the
EIGHTEENTH Report of
the Finance and
Administration
Committee for 1996.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Ms. Tracy Baldry	I	Sanitation Worker	Public Works	Replacing Mr. W. Morden — deceased, Feb. 14/96	\$36,670.40	Sept. 19/96
Mr. Glen Burgoin	I	Sanitation Worker	Public Works	Replacing Mr. M. Crease — effective Sept. 19/96	\$36,670.40	Sept. 19/96
Ms. Cindy Cannon	I	Parking Control Officer	Traffic	Replacing Mr. G. Dans — retired, March 29/96	\$34,061.56 to \$38,905.36	Oct. 14/96
Mr. Raymond Chabot	I	Rink Attendant I	Culture & Recreation	New Position Council Approved Aug. 27/96	\$36,780.64	Sept. 30/96
Mr. Frank Deluca	I	Rink Attendant I	Culture & Recreation	New Position Council Approved Aug. 27/96	\$36,780.64	Sept. 30/96

Prepared October 24, 1996

Status -
Internal - I
External - E

1996 November 12

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

NAME	STATUS	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	EFFECTIVE DATE
Mr. Mickey Moore	I	Sanitation Worker	Public Works	Replacing Mr. M. Cawte - effective Sept. 19/96	\$36,670.40	Sept. 19/96
Mr. Edward Pavao	I	Facility Supervisor	Culture & Recreation	New Position Council Approved Aug. 27/96	\$38,074.40 to \$43,763.20	Oct. 07/96
Mr. Carmine Porco	I	Rink Attendant I	Culture & Recreation	New Position Council Approved Aug. 27/96	\$36,780.64	Sept. 30/96
Mr. John Ross	I	Rink Attendant I	Culture & Recreation	New Position Council Approved Aug. 27/96	\$36,780.64	Sept. 30/96
Mr. Nick Sarnieviski	I	Rink Attendant I	Culture & Recreation	New Position Council Approved Aug. 27/96	\$36,780.64	Sept. 30/96
Mr. Jamie Sherriff	I	Sanitation Worker	Public Works	Replacing Mr. G. Green - effective Sept. 19/96	\$36,760.40	Sept. 19/96

Prepared October 24, 1996

Status --
Internal -- I
External -- E

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Ms. Sara Bradley	Customer Service Rep/ Plan Examiner	Building	Resigned	2 years, 4 months	Oct. 08/96
Mr. William Douglas	Chief Operations Engineer	Property	Deceased	16 years, 2 months	Sept. 10/96
Mr. Frank Filice	Concrete Finisher	Public Works	Terminated	9 years, 4 months	Oct. 16/96
Mr. K. Mark Jolley	Support Services Technician	Information Systems	Resigned	7 years, 6 months	Sept. 27/96
Mr. Steve LeLievre	Program Organizer	Culture & Recreation	Deceased	9 years, 7 months	Sept. 27/96
Mr. Robert Martiniuk	Manager Architectural Division	Building	Resigned	9 years, 3 months	Oct. 04/96
Mr. Frank Okos	Greenskeeper II	Culture & Recreation	Resigned	11 years, 3 months	Sept. 12/96

Prepared October 24, 1996

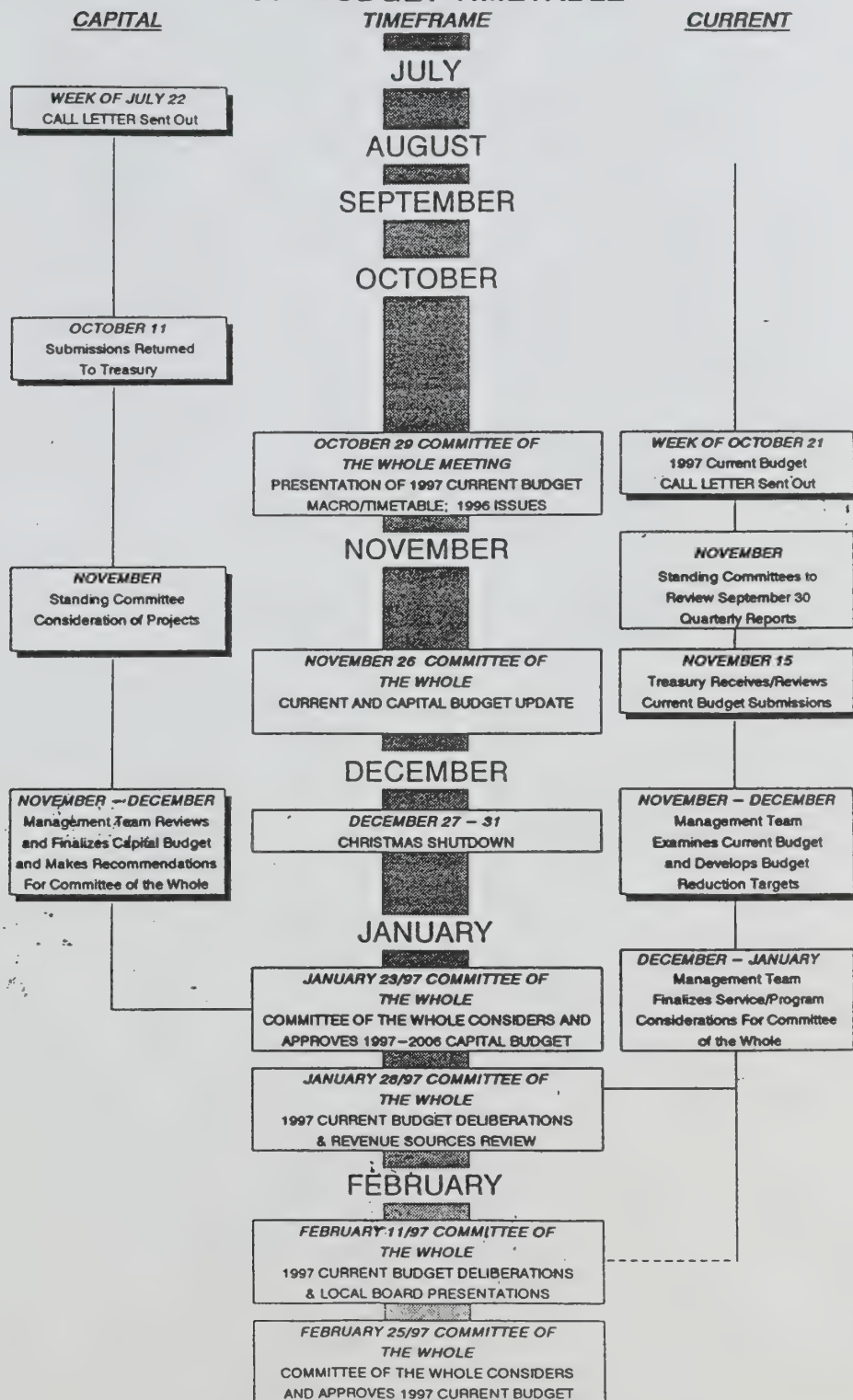
Glossary of Terms

Terminated ~ long term disability
 ~ discharge
 ~ downsizing
 ~ redundant

Resigned ~ personal betterment
 ~ personal reasons

Appendix "B" referred to in Section 16(e) of the EIGHTEENTH Report of the Finance and Administration Committee for 1996.

THE CORPORATION OF THE CITY OF HAMILTON
1997 BUDGET TIMETABLE



**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1996 NOVEMBER 12
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

BY-LAW NO. 96 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 24 (Parking Meter Locations) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding to Part 3(b) thereof, the following items, namely:-

"Hunter North James to 93 feet west of Hughson

Hunter North John to 110 feet east of Hughson."

and by adding to Part 5 thereof, the following items, namely:-

"Hunter North Hughson to 93 feet westerly therefrom

Hunter North Hughson to 110 feet easterly therefrom."

and by deleting from Part 5 thereof, the following items, namely:-

"Hunter North James to John."

2. Schedule 25 (Parking Time Limits) of said By-law is hereby amended by adding thereto the following items, namely:-

"Wilmont	Both	Royal to southerly end	2hr	8 a.m. - 5 p.m.	Mon - Fri
Royal	South	Bowman to Stroud	1hr	8 a.m. - 5 p.m.	Mon - Fri
Delbrook	South	Stroud to the west curb line of Delbrook	1hr	8 a.m. - 5 p.m.	Mon - Fri."

3. Schedule 26 (No Parking Areas) of said By-law is hereby amended by adding thereto the following item, namely:-

"Gladstone West Main to Cumberland Anytime."

and by deleting therefrom the following item, namely:-

"Gladstone West Main to Delaware Anytime."

4. Schedule 27 (Alternate Side Parking) of said By-law is hereby amended by adding thereto the following item, namely:-

"Rangeview Court
Redbury Street to the south end East West."

and by deleting therefrom the following item, namely:-

*Gladstone Avenue		
Cumberland Avenue to Delaware Avenue	West	East."

5. **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

Afton	North	commencing 95 feet east of Balsam and extending 20 feet easterly therefrom	Anytime
Tisdale	East	commencing 176 feet north of east/west leg of Tisdale and extending 21 feet northerly therefrom	Anytime
Somerset	North	commencing 75 feet west of Barnesdale and extending 18 feet westerly therefrom	Anytime
John	East	commencing 74 feet south of Picton and extending 17 feet southerly therefrom	Anytime
New	West	commencing 31 feet north of Main and extending 23 feet northerly therefrom	Anytime."

and by deleting therefrom the following items, namely:-

"Huron	North	commencing 96 feet west of Stirton and extending to a point 21 feet westerly therefrom	Anytime
Wood	South	from a point 133 feet east of Ferguson to a point 24 feet easterly therefrom	Anytime."

6. **Schedule 37 (Snow Routes)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Longwood	Both	Franklin	Macklin
Anchor	Both	Stone Church	Harlowe
Bigwin	Both	Pritchard	Anchor
Harlowe	Both	Pritchard	Anchor."

PASSED this day of A.D. 1996.

CITY CLERK

MAYOR

BY-LAW NO. 96 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. Schedule 10 (Stops at Intersections) of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Acadia (west leg)	Northbound	Acadia (north leg)
Hughson	Northbound and Southbound	Ferrie
Jacqueline	Eastbound	Upper Wellington
Sedona	Eastbound	Upper Wellington
Margate	Eastbound and Westbound	Southwood."

2. Schedule 29 (No Stopping Areas) of said By-law is hereby amended by adding thereto the following items, namely:-

"Lavina	South	Magnolia to 36 feet westerly therefrom	Anytime
Magnolia	West	Lavina to 31 feet southerly therefrom	Anytime."

3. Schedule 35 (Wheelchair Loading Zones) of said By-law is hereby amended by adding thereto the following items, namely:-

"Tragina	West	23 feet	66 feet south of Vansitmart	8:00 a.m - 11:00 p.m. Monday to Friday
Delena	West	22 feet	308 feet south of Dunsmure	Anytime
Norman	East	35 feet	107 feet north of Campbell	Anytime."

and by deleting therefrom the following item, namely:-

"Tragina	West	23 feet	66 feet south of Vansitmart	9:00 a.m. - 10:00 p.m. Monday to Friday."
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PASSED this

day of

A.D. 1996.

CITY CLERK

MAYOR

BY-LAW NO. 96-

TO INCORPORATE CITY LAND

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Jeremy Street within its limits;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

- All of Parcel A, on Registered Plan 1053.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1996

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 38, ON PLAN 62M-715
ON SUPREME DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Supreme Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Supreme Drive.

All of Block 38, on Plan 62M-715.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1996

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 30, ON PLAN 62M-752
INTO FANO DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Fano Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway, to form part of Fano Drive.

All of Block 30, on Plan 62M-752.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said lands as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1996

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 32, ON PLAN 62M-622 & BLOCK 36, ON PLAN 62M-781
INTO GAGLIANO DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Gagliano Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Gagliano Drive.

All of Block 32, on Plan 62M-622 and all of Block 36, on Plan 62M-781.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1996

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 21, ON PLAN 62M-643, BLOCK 31, ON PLAN 62M-622 &
PARTS 1, 3, 4, 7, 8, 11 AND 12, ON PLAN 62R-9927
INTO EAGLEWOOD DRIVE

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Eaglewood Drive within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following laid is hereby established and laid out as a public highway to form part of Eaglewood Drive.

All of Block 21, on Plan 62M-643, and all of Block 31, on Plan 62M-622, and Parts 1, 3, 4, 7, 8, 11 and 12, on Plan 62R-9927.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this day of A.D. 1996

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

TO AUTHORIZE THE SALE OF THE CLOSED ALLEY PARALLEL TO
TISDALE STREET, BETWEEN KING STREET & MAIN STREET,
AS CLOSED BY JUDGE'S ORDER 174069 VM,
DESIGNATED AS PARTS 1 AND 2, ON PLAN 62R-13270 AND
PARTS 1, 2 AND 3, ON PLAN 62R-5120

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 22 of the 9th Report of the Transport and Environment Committee on 1996 June 25, authorized the City to sell part of the alley parallel to Tisdale Street, between King Street and Main Street, designated as Parts 1 and 2, on Plan 62R-13270 and Parts 1, 2 and 3, on Plan 62R-5120, as closed by Judge's Order 174069 VM;

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the sale of the closed portion of the alley between King Street and Main Street, described as;

Part of an 11 foot alley on Registered Plan 224, being parallel to Tisdale Street, between King Street and Main Street, as closed by Judge's Order 174069 VM, designated as Parts 1 and 2, on Plan 62R-13270 and Parts 1, 2 and 3, on Plan 62R-5120.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Is hereby authorized.

2. That an offer to purchase a portion of the above described closed alley, designated as Parts 1, 2 and 3, on Plan 62R-5120 and Part 1, on Plan 62R-13270, be extended to the Hamilton Automobile Club for the sum of \$4,480.00, subject to the highway closing and sale provisions in the Registry Act and the Municipal Act.

(cont'd pg 2)

Page 2

To authorize the sale of the closed alley parallel to Tisdale Street, between King Street & Main Street, as closed by Judge's Order 174069 VM, designated as Parts 1 and 2, on Plan 62R-13270 and Parts 1, 2 and 3, on Plan 62R-5120

By-Law 96-

3. That an offer to purchase a portion of the above described closed alley, designated as Part 2, on Plan 62R-13270, be extended to Maindale Properties Limited for the sum of \$290.00, subject to the highway closing and sale provisions in the Registry Act and the Municipal Act.

PASSED this

day of

A.D. 1996

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

TO AUTHORIZE THE SALE OF PART OF THE ALLEY ADJACENT TO
95 FERGUSON AVENUE SOUTH, AS CLOSED BY JUDGE'S ORDER VM232957,
DESIGNATED AS PART 1, ON PLAN 62R-13138

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297 of The Municipal Act, Revised Statutes of Ontario, 1990, Chapter M.45, and amendments thereto, to establish and layout, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Item 23 of the 12th Report of the Transport and Environment Committee on 1996 September 24, authorized the City to sell part of the alley immediately north of Lot 6, Registered Plan 31, designated as Part 1, on Plan 62R-13138, as closed by Judge's Order VM232957;

AND WHEREAS The Corporation of the City of Hamilton is the owner of the above described lands;

AND WHEREAS notice of the City's intention to pass this By-Law has been published as required by Section 300 of the Municipal Act for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-Law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. That the sale of part of the alley lying north of 95 Ferguson Avenue South, described as;

Part of the alley lying north of Lot 6, as closed by Judge's Order VM232957, on Registered Plan 31, designated as Part 1, on Plan 62R-13138.

City of Hamilton
Regional Municipality of Hamilton-Wentworth
Is hereby authorized.
2. That an offer to purchase the above described portion of the alley be extended to Edward Adrian and Paul Bellemore for the sum of \$2, subject to the highway closing and sale provisions in the Registry Act and the Municipal Act.

PASSED this

day of

A.D. 1996

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend

By-law No. 93-167

Respecting

BUILDING PERMIT FEES

WHEREAS By-law 93-167 was enacted on the 27th day of July 1993 concerning Building Permit Fees.

AND WHEREAS City Council, on October 29, 1996, in adopting Section 5 of the 17th Report of the Planning and Development Committee authorized the addition of a Permit Class for the construction of barrier free access in existing single and two family dwellings;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" of By-law No. 93-167 is amended by adding the following Class of Permit.

CLASS OF PERMIT

FEE

- | | |
|---|---------------|
| 1.(a) Permit for the construction
of barrier free access in
existing single and two
family dwellings | \$0.00 (zero) |
|---|---------------|

PASSED this _____ day of _____, 1996.

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Designate

**DOWNTOWN HAMILTON AS A COMMUNITY
IMPROVEMENT PROJECT AREA**

WHEREAS subsection 28(2) of the Planning Act, R.S.O. 1990, Chapter M.45 provides as follows:

- (2) Where there is an official plan in effect in a local municipality that contains provisions relating to community improvement in the municipality, the council may, by by-law, designate the whole, or any part of, an area covered by such official plan as a Community Improvement Project Area;

AND WHEREAS the Official Plan of the City of Hamilton approved by the Minister on June 1, 1982, contains provisions relating to community improvement in the City of Hamilton;

AND WHEREAS Council, on October 29, 1996, in adopting Section 3 of the 17th Report of the Planning and Development Committee approved the designation of the Downtown Community Improvement Area;

AND WHEREAS it is desirable to designate the area described on Schedule "A" as a Community Improvement Project Area.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

The area shown on Schedule "A" hereto annexed and forming part of this By-law is hereby designated as a Community Improvement Project Area.

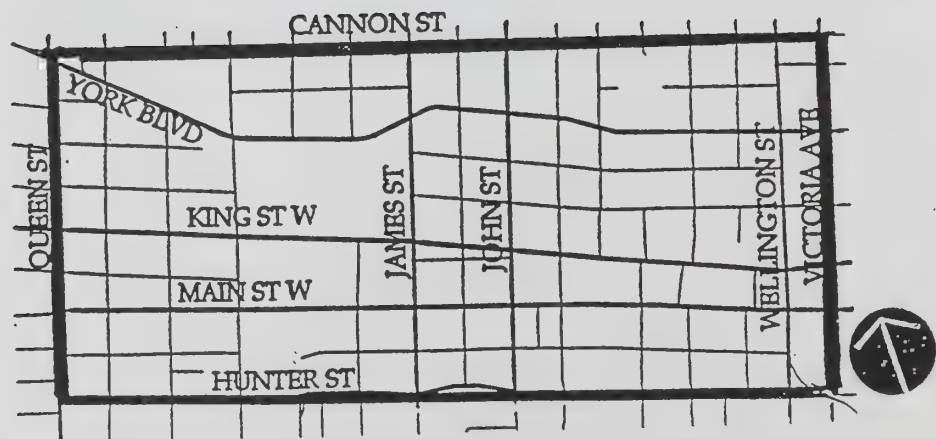
PASSED this _____ day of _____, 1996.

CITY CLERK

MAYOR

SCHEDULE "A"

DOWNTOWN HAMILTON COMMUNITY IMPROVEMENT PROJECT AREA



(Bounded northerly by Cannon Street, southerly by Hunter Street,
westerly by Queen Street and easterly by Victoria Avenue).

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Adopt

THE DOWNTOWN HAMILTON COMMUNITY IMPROVEMENT PLAN

WHEREAS By-law No. 96- , passed on the 12th day of November, 1996, designated the area shown on Schedule "A" thereto as a Community Improvement Project Area in accordance with subsection 28(2) of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS Council, on October 29, 1996, in adopting Section 3 of the 17th Report of the Planning and Development Committee approved the Downtown Hamilton Community Improvement Plan;

AND WHEREAS it is intended to adopt a Community Improvement Plan for the said area in accordance with subsection 28(4) of the said Act;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Downtown Community Improvement Plan hereto annexed as Schedule "A" and forming part of this By-law is hereby adopted.
2. It is hereby authorized and directed that the approval of the Community Improvement Plan referred to in Section 1 shall include approval for the doing of all things for the purpose thereof.
3. This By-law comes into force and effect on the date of its approval by the Ministry of Municipal Affairs.

PASSED this 12th day of November, 1996.

CITY CLERK

MAYOR

SCHEDULE "A"

DOWNTOWN HAMILTON

COMMUNITY IMPROVEMENT PLAN

1996 October 16

1. INTRODUCTION

The purpose of this Community Improvement Plan is two-fold: i) to provide the context for a co-ordinated municipal effort to improve the physical, economic and social climates of the Downtown; and ii) to meet the legislative requirements of the community improvement provisions of the Planning Act, Section 28 that allows a municipality to provide loans and grants as are stipulated in the Plan.

The initiatives identified in the Plan are intended to stimulate private investment, property maintenance and renewal in the Downtown. The focus of these initiatives, and of the Community Improvement Plan, is to foster an environment that will: increase the supply of residential units within the Downtown; ensure a viable Downtown population; encourage the provision of unique or specialized attractions and public facilities; encourage the location of community events; and, encourage public improvement such as streetscape improvements and pedestrian amenities.

The Community Improvement Plan is not intended to provide an exhaustive list of revitalization projects that may be undertaken to stimulate community improvement. The objective of the Plan is to provide a context for Downtown revitalization projects, and to guide the municipal decision-making process so that actions are undertaken that are supportive of, and instrumental in, encouraging Downtown renewal. This Plan provides a framework to better identify projects, and makes reference to many initiatives that have been previously identified for Downtown revitalization. These projects all involve many steps, and will, in some cases, require dedicated funding. Given the current economic realities, reliance on projects that will require public funding to encourage redevelopment and revitalization will not accomplish the goal of creating and maintaining a vibrant, healthy Downtown. The role of the municipality is to provide incentives and remove barriers for development. The Downtown Hamilton Community Improvement Plan can provide a context and reference point for developing specific community improvement projects, as well as identifying actions that can be undertaken in a more co-ordinated manner that will foster Downtown renewal.

Like many other municipalities across Ontario, the viability of Hamilton's downtown area has declined in recent years. Factors contributing to the decline are numerous and include the following:

- the absence of new housing developments;
- a system of traffic flows and patterns that is not as user-friendly for pedestrian and cyclists and urban street life;
- assessed property values that no longer reflect market property values;
- shifting consumer retail shopping preferences;
- the lingering economic recession and the "jobless recovery";
- consumer preferences for a suburban atmosphere or "way-of-life" as opposed to a central city ambience; and,

- minimal marketing promotion of the advantages of Downtown Hamilton to prospective businesses and potential residents;

Yet, in spite of Downtown Hamilton's recent difficulties, there is a tremendous untapped potential:

- a population base of some 26,000 residents;
- a personal Disposable household income of residents in excess of \$500 million;
- slightly over 38,000 jobs located in the downtown;
- a strong entrepreneurial spirit among downtown merchants;
- a clear civic commitment from residents of downtown neighbourhoods;
- connections to the West Harbourfront Area and potential redevelopment;
- the Art Gallery of Hamilton, Central Public Library, Hamilton Place, duMaurier Centre, Copps Coliseum, Gore Park, Jackson Square, Hamilton Eaton Centre and City Hall which are all key anchors that underpin the vitality of the downtown community;
- the availability of low-cost customer parking; and,
- a stable population base and the socio-economic characteristics of downtown residents.
- high accessibility compared to some other major centres e.g. Toronto

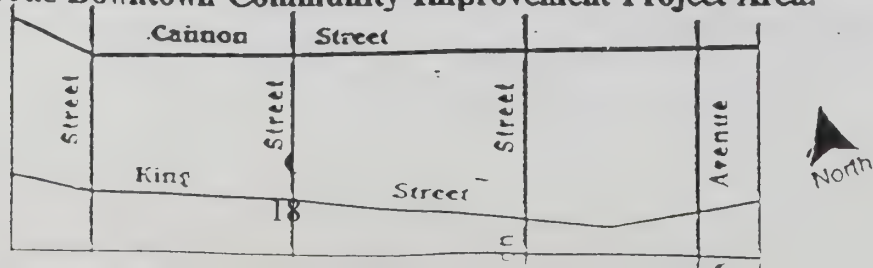
Since 1846, Downtown Hamilton has been the cultural, social and historical centre of the greater Hamilton community. In an era of "cookie-cutter" municipalities, a key strength of the City of Hamilton and the Region of Hamilton-Wentworth is its clearly identifiable City Centre - Downtown Hamilton. This area provides a unique urban ambience unparalleled in greater Hamilton. The strength and vitality of Hamilton's downtown is a clear signal of the strength and vitality of our community as a whole. The co-ordinated commitment to Hamilton's Downtown is a commitment from all citizens of Hamilton-Wentworth to the betterment of their community.

The challenges facing downtown Hamilton are challenges which face our broader community and cannot be ignored.

2. AREA OF COMMUNITY IMPROVEMENT PLAN

The Downtown Community Improvement Plan applies to the lands identified in the Downtown Community Improvement Project Area (CIPA). The CIPA is bounded northerly by Cannon Street, southerly by Hunter Street, westerly by Queen Street and easterly by Victoria Avenue (as identified in Figure 1).

FIGURE 1. The Downtown Community Improvement Project Area:



3. VISION OF THE DOWNTOWN

Generally the City of Hamilton is striving to achieve the following Mission Statement:

"That the downtown be a community where people wish to live, work and visit".

As such, it is important that the downtown provide the following elements:

- it is integrated, safe, and healthy;
- it links a number of communities and facilities together;
- it is easily accessible and encourages walking, stopping and parking;
- it is a community for young families, aging population, student population, professionals, knowledge workers, workers, regional functions, world class business innovators, visitors, and gentry;
- it offers destination shopping and niche marketing;
- it appeals to those looking for 'creature-comforts'; and,
- it appeals to growing trends in do-it-yourself, cottage industry, home-based businesses, arts and crafts, hobbyists, etc. (e.g. lifelong learning, wine making, gardening, culinary arts and cooking, etc.)

It has been a common theme that the ultimate objective in terms of achieving a specific result is to have more people in the downtown to spend and invest their money. By inference, if the City of Hamilton is successful in assisting in programs which bring a substantially higher number of people downtown and these people spend money and invest in downtown, it will become a viable regional centre.

The three components of the Mission Statement for the downtown should be targeted for special attention. While all three involve people, it is hoped that these three groupings form the basis of action and direction of the City of Hamilton.

a) **Those People Who Live in Downtown**

Much of the literature related to rejuvenation of downtown areas calls for increasing the amount of housing in the downtown area. The objective of the City in this sector will be to establish a comfortable, safe, and dynamic residential community.

Specific initiatives that have and are to be considered include:

- implementation of the Convert-to-Rent Program;
- investigate improved transit;

- initiate a marketing program to illustrate the affordability of moving in downtown Hamilton compared to locations closer to Toronto;
- investigate linkages between housing development in the downtown and access to the GO Station; and,
- fee rebates for new development and redevelopment projects, waiving the parking requirements and the 5% parkland dedication.

b) Those People Who Work Downtown

For this group of people, the ultimate objective is for them to either generate a profit in downtown or provide a specific service to those in the downtown core. Those groups who wish to generate a profit in downtown include existing businesses (retail, office, service sector, hotels), owners of existing buildings and owners of vacant land. Programs will have to be devised to enhance existing business operations and to attract new business ventures to the core.

Those who provide a service in the downtown area include: government, educational institutions, local churches, service organizations including the Social Planning & Research Council, hostels, food banks, etc.

There is a range of programs to consider for achieving these objectives. As successful programs are initiated in each of the other two sectors, (i.e. housing and visitors) those with an economic interest in downtown will benefit.

c) Those People Who Visit the Downtown

To the extent visitors can be attracted to the downtown area, additional dollars will flow to support downtown business operations. The marketing program should be targeted towards a range of visitor groupings, including those who live in the City of Hamilton and the immediate regional community, out of town visitors in Southern Ontario, the wider Provincial market and Canadian market, as well as international markets.

The intent of this exercise will be to build on the current strengths of the downtown area, develop such markets and broaden the catchment area for downtown facilities while at the same time trying to compete with distant markets to capture dollars which are currently flowing out of the community.

4. GOALS OF THE DOWNTOWN COMMUNITY IMPROVEMENT PLAN

The goals of the Downtown Hamilton Community Improvement Plan are:

- a) to enhance the Downtown as a unique community and the Heart of the City and Region. The Downtown shall be a place where people are attracted to live, work and visit;
- b) to encourage the preservation and enhancement of significant heritage resources;
- c) to encourage and assist private property owners to rehabilitate buildings in the Downtown to ensure their long-term economic viability;
- d) to focus municipal efforts that address the provision of streetscape improvements, municipal services and infrastructure; and,
- e) to promote the continued development of the Downtown as the primary business, office, cultural and administrative centre for the City and Region.

5. OBJECTIVES OF THE DOWNTOWN HAMILTON COMMUNITY IMPROVEMENT PLAN

The objectives of the Downtown Hamilton Community Improvement Plan are:

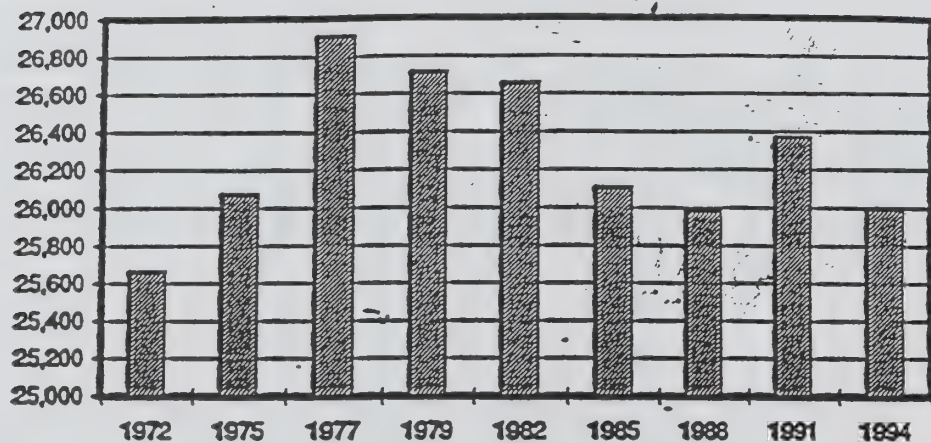
- a) to promote the long-term stability and viability of the Downtown;
- b) to encourage the co-ordination of municipal expenditures and planning and development activity;
- c) to stimulate private property maintenance and reinvestment activity;
- d) to enhance the visual quality of the Downtown through the recognition and protection of heritage buildings;
- e) to upgrade physical services and social and recreation facilities; and,
- f) to provide for streetscaping, servicing and building rehabilitation and improvements to enhance the Downtown, and encourage complementary revitalization or redevelopment through private investment.

6. THE DOWNTOWN AREA - DEMOGRAPHIC ANALYSIS

The following is a summary of major demographic trends affecting the Downtown.

1. The population of Hamilton's Downtown experienced a decline in population from 1977 to 1985 and since that time has remained relatively stable in the 26,000 person range.

Population in Downtown Hamilton



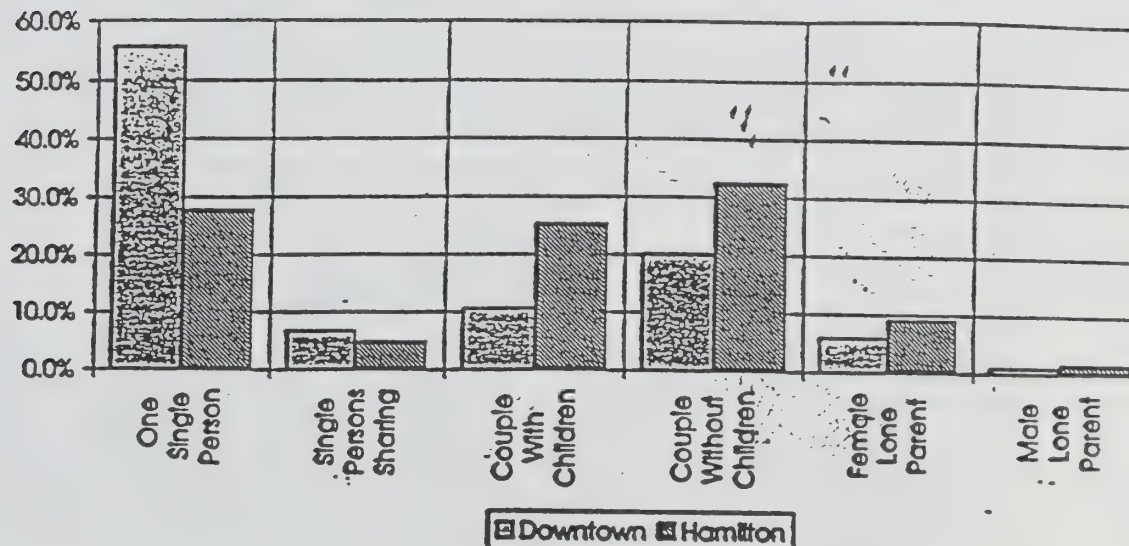
2. Downtown Hamilton recorded a higher proportion of people in the 25 to 34 years age cohort than the City of Hamilton as a whole. In addition, there was a lower proportion of children aged 0 to 14 years in Hamilton's Downtown compared to the City of Hamilton and a higher proportion of senior citizens aged 65 years and over.

Age Distribution of Population, 1991



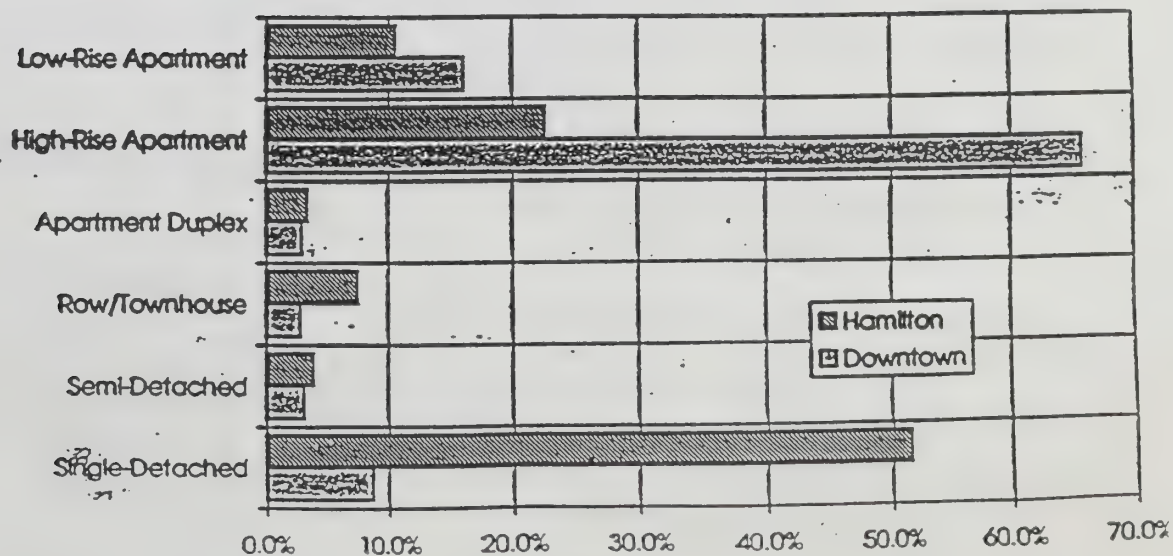
3. One single person households are the most prevalent household type in Hamilton's Downtown and accounted for over one-half of all households. There was a lower proportion of couples with children and couples without children in the Downtown compared to the City of Hamilton.

Distribution of Households by Type, 1991



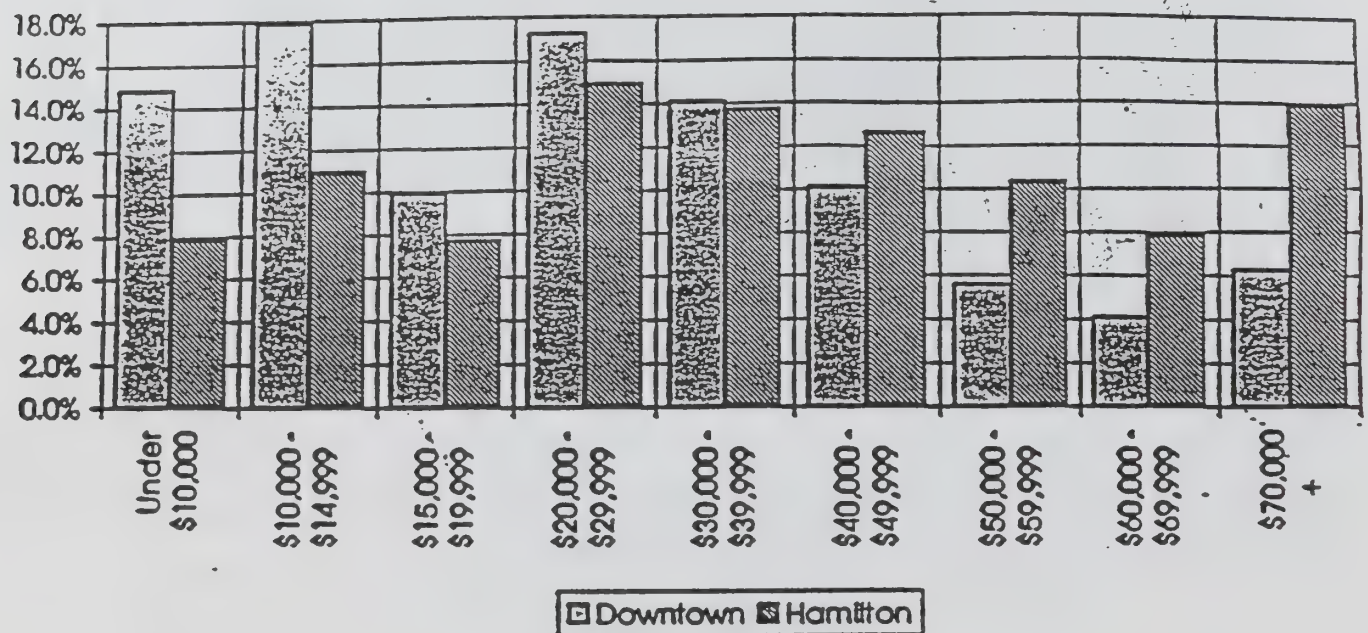
4. There was a much higher proportion of high-rise apartment units in Hamilton's Downtown compared to the City of Hamilton, 65.8 percent versus 22.6 percent. Single-detached dwellings accounted for under 10 percent of all dwellings in the Downtown while the proportion for the City of Hamilton was over 50 percent.

Distribution of Households by Dwelling Type, 1991



5. There was a higher proportion of lower income households in Hamilton's Downtown than the overall City of Hamilton and, conversely, a lower proportion of higher income households. The average household income (1990) for Downtown households was recorded at \$31,228. compared to \$41,232. for the City of Hamilton.

Distribution of Households by 1990 Income



7. PLANNING POLICIES AND CONTROLS

The following is a list of specific controls currently in affect in the downtown and major planning concerns.

A) Regional Official Plan - Towards a Sustainable Region

- Approved by the Ministry of Municipal Affairs on 1995 January 05
- Founded on the principles of Vision 2020 - sustainable development
- Downtown Hamilton designated as the Regional Centre, on Regional Development Pattern

Part B - Quality of Life

Provides policies which endeavour to enhance the way people live in this Region; issues relate to governance, environment, health, social services, shelter, culture, heritage, etc. Policies relevant to CIPA:

- 4.1.1 Implement an Economic Action Plan with emphasis on such things as improving workforce; improving competitiveness of small business; building partnerships in community; developing community infrastructure that is supportive of economic development.

Part C - Land Use Strategy

Contains more specific land use policies to help guide public/private decision making. Policies relevant to the CIPA include compact land use form; retail; services; transit:

- 3.1.1.3 Promote the Regional Centre in Downtown Hamilton as the most important mixed use activity centre, offering the widest range of goods and services of any single location in the Region.
- 3.1.1.4 Maintain the Regional Administrative Offices in the Regional Centre.
- 3.1.1.5 Promote and support efforts directed at making the Regional Centre the focus for major cultural facilities (e.g. art galleries, libraries and performing arts).
- 3.1.6.1 Direct retail/commercial/office uses to locate in Mixed Use Activity Centres and Corridors, shopping centres, existing and planned retail areas.
- 3.1.7.1 Encourage head offices and large branch offices of finance, insurance and real estate firms serving Region-wide or specialized interests to locate in the Regional Centre.
- 3.1.7.2 Encourage Region-wide or specialized community, business and personal services to locate in the Regional Centre.
- 4.3.2.3 Plan and operate the urban transit system, so that:

- a) The Regional Centre is the primary focus of transit service, with an appropriate level of service and degree of accessibility.

B) City of Hamilton Official Plan - Central Area Plan - Extracts Relevant to the CIPA:

Purpose: The Central Area Plan is a secondary plan prepared to give policy direction for the area bounded by the Harbour, Queen Street, the Escarpment and Victoria Avenue. It includes Durand, Corktown, Central, Beasley, North End East and West Neighbourhoods and portions of Landsdale and Stinson west of Victoria Avenue.

Overview: The plan stresses the importance of a healthy, vibrant, well-designed, human-scale environment and economic well-being of the Central Area, with policies aimed at:

- building on the Central Area's existing attributes; and,
- creating an environment conducive to investment, redevelopment and growth.

Status: The Plan is an update of the original Central Area Plan, which dates back to 1981 and is approved by Committee.

There are outstanding appeals of the O.P.A., some of which have been lodged by the Hamilton Harbour Commissioners. Several pre-hearing mediation meetings have been held, with a fifth one to be held shortly, but no compromise solution is anticipated at this time.

Policies: The portions of the plan policies most relevant to the CIPA are:

General: the Centre of Hamilton is considered the "Regional Centre"; and to be recognized as a multi-use area; emphasis on urban design, compatibility of uses.

Downtown Core: includes most of CIPA, except far east and north-east portions.

- Permitted Uses - to maintain and enhance the downtown core, a mix of uses to be encouraged, namely commercial uses (office buildings and stores); residential development; and institutional uses, esp governments.
- Promote as primary commercial centre of Region; location for offices, retail.

- Reinforce existing commercial on James Street, Hess Village, east of James Street.

Mixed Use: includes far east and north-east portions of the CIPA Area.

- Permitted Uses - light industrial, commercial, residential, institutional, recreational and related ancillary uses.
- Existing uses to remain; a mix of new uses to be encouraged; new developments not to adversely affect existing ones; applications to be considered on own merits, in light of long-term goals for growth and revitalization.

C) Neighbourhood Plans in CIPA

i) Central Neighbourhood Plan

Location - This neighbourhood comprises the area bounded by Queen Street, Main Street, James Street and the CNR Mainline north of Barton Street, and includes the portion of the CIPA between Bay Street and James Street.

Neighbourhood Plan Review - A review of the existing Central Neighbourhood Plan is nearing completion. A public meeting is to be held to enable additional public input, prior to the plan being taken forward for adoption.

The emphasis of the proposed plan, for the core area, is to strengthen and complete the areas designated "Downtown Core", as defined by the Central Area Plan. This includes all of the CIPA which is located in the Central Neighbourhood. Higher density housing (4 to 8 storey apartment buildings) are proposed adjacent to the downtown core.

Existing Plan - The original Central Neighbourhood Plan was adopted by City Council in 1973, and has been amended since that time. It designates lands within the Focus Area "Commercial", except for Copps Coliseum and Civic Square, which are designed "Civic and Institutional".

ii) Beasley Neighbourhood Plan

Location - This neighbourhood comprises lands bounded by James Street, Main Street, Wellington Street and the CNR Mainline. It includes the part of the CIPA east of James Street up to Wellington Street.

Neighbourhood Plan Review - A new Beasley Neighbourhood Plan has recently been approved by City Council. The plan was prepared by staff, in conjunction with an advisory committee.

The main thrust of the plan is to make the neighbourhood an "attractive" and "desirable" place to live, namely attractive to residents by improving their quality of life, and attractive to businesses by improving their viability. Proposed actions include increasing the amount of green space; promoting mixed residential/commercial along all major streets; scaling back the one-way street system; undertaking a market value re-assessment; upgrading police presence and attention to urban design; focusing the size of the commercial downtown core into a smaller geographic area; and discouraging the creation of new parking lots.

iii) Corktown Neighbourhood Plan

Location - This neighbourhood comprises the area bounded by James Street, Main Street, Wellington Street and the Escarpment, and includes the portion of the CIPA south of Main and east of James.

Neighbourhood Plan Review - A review of the existing Corktown Neighbourhood Plan began in April, 1996 and is nearing completion. The draft plan, prepared with a citizen advisory committee, has been circulated to agencies. A public meeting is scheduled for December 05, 1996 to obtain input from the general public, prior to the plan being finalized and taken forward to the Planning and Development Committee for adoption in early 1997.

The purpose of the proposed plan is to create, over the next 15 years and beyond, a Corktown that is attractive, affordable and accessible, is clean, green and cohesive; is stable, livable and economically viable; has a strong identity and enhances the image of Hamilton; and has stakeholders actively involved in making decisions about the future of Corktown. Higher buildings of up to 12 storeys are proposed in the core, with lower heights to the south.

Existing Plan - The original Corktown Neighbourhood Plan was adopted by Council in November 1973, and called for a number of rezonings. It has been amended extensively since that time. It designates lands within the CIPA mainly Commercial", and "Commercial and Apartments" and some "Civic and Institutional".

iv) Durand Neighbourhood Plan

Location - This neighbourhood comprises lands bounded by Queen Street, Main Street, James Street and the Escarpment. It includes the portion of the CIPA south of Main and west of James.

Neighbourhood Plan Review - The Durand Neighbourhood Plan Update was prepared beginning in 1984, with the assistance of a citizen advisory committee. The plan preparation process involved the identification of issues and development of policies and actions to address these. The final version of the plan was adopted by Council in 1987.

The major goals of the Durand Plan include preservation of the residential character, which includes a mix of densities; directing commercial uses to the periphery; increasing recreational and parkland areas; heritage preservation; and restricting through traffic. The area within the CIPA are designated mostly for "Commercial", "Civic and Institutional", and, "High Density Apartments".

Former Plan - The original Durand Neighbourhood Plan was adopted by Council in 1973. It provided for extensive areas of high density residential, and designated lands within the CIPA for much the same uses as the 1987 plan update.

D) Designated Buildings:

Designation of buildings under the Ontario Heritage Act is done for the purposes of identifying and conserving buildings that are considered to be historically and/or architecturally significant. This enables retaining the original architectural character of features, especially facades, and in some cases interior features. Heritage funding grants are available for this purpose, and threatened demolition can be delayed while alternative approaches are pursued.

There are presently 6 designated buildings within the CIPA. These include:

- | | |
|------------------------|------------------------------------|
| - Pigott Building | - Landed Banking Loan Co. Building |
| - Sun Life Building | - Victoria Hall |
| - Right House Building | - Hamilton Courthouse |

The designation of buildings within the CIPA is continuously being reviewed, and LACAC staff have indicated there may be several more buildings to be added to the inventory of listed buildings in the future.

E) Zoning By-Law

The Zoning By-Law governs permitted uses and development standards in the City. Several zoning districts exist in the CIPA, indicated by letter codes. This is a brief overview.

"CR-3" (Commercial - Residential) District

- Found in several areas in central and east part of CIPA
- Permitted Uses: Residential - multiple dwellings; apt. hotel, care facilities; etc.
Commercial - office; retail; etc.; combined with residential, separate access
Institutional & Public - nursing home; day nursery; library; art gallery
- Density permitted: Max. Floor Area - 8 times lot area; Max. Height - 24 storeys

"H" (Community Shopping and Commercial, etc.) District

- Found at eastern end of CIPA
- Permitted Uses: Residential - lodging house; single family with commercial; care facilities
Commercial - wide range of retail; office; other; some light industrial
Institutional - nursing home; home for aged; day nursery; jail; clubs; etc.
- Density permitted: Max. Floor Area - 8 times lot area; Max. Height - 4 to 18 storeys

"HI" (Civic Centre Protected Districts)

- Located in vicinity of Main Street and MacNab Street; Main Street and Bay Street
- Permitted Uses: hotel; nursing home; day nursery; public uses;
Commercial - professional offices; various retail and service
- Density permitted: Max. Floor Area - 8 times lot area; Max. Height - 4 to 18 storeys

"I" (Central Business District, etc.) District

- Most prevalent zoning district in CIPA; found throughout, especially west and central
- Permitted Uses: Almost any residential, institutional or public use; care facility; lodging
Commercial - almost any commercial; storage yards; industrial uses with minimal noise
- Density permitted: Max. Height - 37m (about 10 storeys) to 100m (about 30 storeys)

"J" (Light and Limited Heavy Industry, etc.) District

- One area in block at King William Street and Ferguson Avenue
- Permitted Uses: Institutional Uses including day nursery; detention centre
Public & Commercial - Almost any use
Light & Limited Industrial - uses such as food; mfg.; metals
- Density permitted: Max. Height - 10 storeys

Several site-specific Zoning By-Laws also exist, to define permitted uses and design for specific sites. For example, "H/S-472".

F) Site Plan Control

The entire Central Area is subject to Site Plan Control. The City reviews site design features, and co-ordinates siting of buildings; grading; landscaping; parking; access; other design aspects.

G) Planning Issues

i) Buildings and Open Spaces

There is diversity in the configuration of buildings and open spaces. There are several large buildings at the western end of the CIPA, including Jackson Square, an enclosed mall, the Hamilton Eaton Centre, Copps Trade Centre and Arena, and several other public buildings within the Civic Centre. There are also several other landmark buildings, many of which have historical significance. Along King Street East, facing Gore Park and extending to the east, most buildings are about three stories in height, apartments over stores, with some new infill.

ii) Design

Development in the downtown, although controlled by various regulations, does not always result in buildings and areas which are attractive to pedestrians. Some sections of the streetscape, such as adjacent to high-rise commercial buildings, are not as inviting to pedestrians as they could be, and in some cases there are obstacles to walking.

iii) Limited Greenspace

Gore Park is a small green space at the very core of the downtown. The green oasis which it provides is surrounded by roadways carrying the highest traffic volumes in the core. The main downtown location for bus stops is also at Gore Park, so the green park environment is often surrounded by a wall

of buses. The original fountain is being reconstructed in the Park, and bus shelters are also being considered, so the actual amount of green space is being reduced.

iv) Downtown Development Corporation

The Founding Board of the Greater Hamilton Downtown Community Development Corporation (GHDCDC) is a non-profit organization created to establish Downtown Hamilton as the economic, cultural, social and institutional centre of the Region. It was established in mid 1995, with a wide membership including politicians, business people, municipal staff, residents and other key stakeholders, and is intended to be a high profile committee of decision-makers with a mandate for action. Currently they are developing a strategic action plan that will identify downtown initiatives through public/private partnerships.

v) Status of Downtown Initiatives

There are many actions, studies and other initiatives underway or being considered in the downtown area. These include areas such as lighting improvements, beautification, parking meters, festivals, student housing; sign requirements; major renovation; etc. There are several committees in addition to the GHDCDC Founding Board, such as the staff Downtown Initiatives Committee.

vi) Gore Heritage Design Study

This study was initiated to investigate how to best conserve and enhance the special character of the Gore area of Hamilton. The Gore Park area along King Street in the downtown has much historical significance, but is now threatened by vacant buildings, and high-rise zoning. The study identifies the potential for returning existing buildings to their original condition as well as investigating design guidelines and incentives.

vii) Social Impact - Public Amenities, Safety, Accessibility

Crime rates in the downtown and surrounding neighbourhoods are quite high, compared to many suburban areas. These rates must be considered in the context of the higher population densities in the core, and the higher risk of crime associated with more commercial areas.

8. PREVIOUS COMMUNITY IMPROVEMENT PROJECTS

Various portions of the Downtown have been, and in some cases, are still, sites of community improvement projects. The Core Redevelopment Area and corresponding Downtown Core Redevelopment Plan were established by by-law in 1983 for the purpose of implementing various phases of the Downtown Action Plan. The works undertaken included sidewalk improvements and widenings, park redevelopment, street lighting, plantings, street furniture and road resurfacing. Monies to implement the Downtown Action Plan were derived from the Ministry of Municipal Affairs under the Commercial Area Improvement Program and the City of Hamilton. The by-laws establishing the Core Redevelopment Area and corresponding Plan and addendums were repealed in 1991.

In 1986 the City of Hamilton established the Commercial Facade Program. The program is still on-going and provides loans (to a maximum of \$15,000. per unit) at half the City's prime rate, amortized over a ten year period, for the rehabilitation of commercial property facades. This program has since expanded to include a maximum of \$10,000. per unit for interior renovations and is now known as the Commercial Property Improvement Program. The properties must be within an established Business Improvement Area (B.I.A.). There are seven B.I.A.'s presently established in the City of Hamilton namely: Barton General, Concession, Downtown Hamilton, International Village, Main West, Ottawa North and, Westdale Village. Community Improvement Project Areas and corresponding Community Improvement Plans were created in accordance with the Planning Act, Section 28 for the purpose of implementing the Program.

9. COMMUNITY IMPROVEMENT INITIATIVES:

The following list summarizes the strategies and initiatives that may be pursued through this Community Improvement Plan, and through any other City action intended to foster downtown revitalization. This list is not intended to be exclusive or exhaustive. It is intended to provide a framework for Downtown revitalization and renewal. The initiatives have been identified at a number of levels including: the document entitled "Strong Medicine.... A Prescription for the Heart of Hamilton Wentworth; the City/Region staff's Downtown Initiatives Committee; the Mayor's Task Force for Downtown Renewal; and, the Hamilton Society of Architect's Downtown Charette.

Each initiative is to be developed and evaluated on its own merit and taken through the appropriate approval process including Standing Committee and Council if needed, and if applicable, the appropriate funding process.

As these projects and others are approved they will be attached as further appendices to this document without requiring amendment to the Plan.

a) The Convert/Renovate-to-Rent Program

The City of Hamilton will provide financial assistance to property owners within the CIPA to either create apartments in vacant spaces above stores or to bring unused or deteriorated apartments in commercial buildings into compliance with the Property Standards By-law and Fire Code (as per Appendix 'A').

b) Fee Rebates for New Development and Redevelopment Projects, Waiving of Parking Requirements and 5% Parkland dedication

As an incentive for development and redevelopment activities in the downtown, the City of Hamilton will offer fee rebates for planning and building new development and redevelopment projects as well as waive the 5% parkland dedication and parking requirements for residential development/redevelopment (as per Appendix 'B').

c) Attract key "niche" retailers

Boost the distinctive retail and day-trip profile of Downtown by targeted recruiting of one or more major retailers without a significant presence in Ontario.

d) Prepare Plans for Renovation of Key Vacant Buildings

Work with landlords to create redevelopment proposals for existing properties, aimed at providing facilities for design studios, computer software firms, artists studios and "loft" apartments.

e) Improve Fibre-optic Opportunities in the Downtown

Create a public-sector fibre-optic cable wide-area communications network focused on the Downtown in 1997, to demonstrate that Hamilton makes a good location for communications-based businesses, such as call centres and commercial "back office" functions.

f) Canadian Society of Association Executive Convention in Hamilton

Promote Downtown Hamilton as an excellent location for national and regional association headquarters, by specifically targeting the national trade association of those organizations.

g) Develop a Commercial Parking Lot Licensing By-law

Making parking lots part of the solution to the problems of Downtown, not one of its major symptoms. Combine licensing and redevelopment incentives for commercial parking lots to promote their early redevelopment and to discourage further demolitions leading to more vacant parking lots.

h) Concept for Dealing with Tax and Assessment Issues

Investigate whether the City and Region can facilitate a process through which the Ontario Municipal Board would agree to mediate settlements between the Assessment Commissioner and the appellants.

i) Property Tax Exemptions for municipal and quasi-municipal uses

Expand the range of tax-exemptions for public and cultural institutions, to promote their continued ability to operate economically Downtown.

j) City Housing and Development Targetting on Key Downtown Properties

Identify four or five properties with a high redevelopment priority for the Downtown, and prepare investment portfolios for presentation to identified potential investors. The investment portfolios would highlight commercially attractive features, such as a commitment to include Regional Municipality office space, to relax parking requirements, etc.

k) Implementation of "strategic initiatives" identified in the Downtown Charette

Improve the physical/pedestrian links between key areas of Downtown; such as: between Hess Village and the Convention Centre; between James Street North and the Eaton Centre area; and, between Theatre Aquarius/Broadway and King Street East.

l) Implementation of "Transportation" Initiatives with the Aim of Creating a More "People Friendly" Environment.

Take the proposals set out in various documents e.g. the Regional Transportation Review and Downtown Charette, and explore with the Region, the alternatives to the existing downtown circulation system to promote changes and objectives of the downtown renewal strategies.

m) New Parking Requirements

Authorize universal "no charge" 3 hour parking in all or most municipal lots, to be effective for the 1996 Holiday season. Investigate other parking incentives.

n) Relocation of Regional Offices in the Downtown

As a lever to redevelopment, Regional Municipality office space should be relocated to strategic downtown locations wherever feasible, on an aggressive timetable. If appropriate, the decision to relocate the Region's headquarters to the Court House should be reconsidered, especially if a major new corporate or institutional entity could be recruited to Downtown by leasing that property.

o) Mass-Market the Art Gallery

Encourage the Art Gallery to initiate a major reservation-ticket exhibition with commercial marketing potential.

p) Neo-traditional Development in Neighbourhoods Surrounding the Downtown

Explore with the Hamilton Halton Homebuilders, the possibility of expanding their recent initiative into the creation of a full-scale neo-traditional neighbourhood on underutilized lands adjacent to the Downtown.

q) Create a Hamilton Secondary Plan

Create a separate Downtown Neighbourhood within the City and Regional Official Plans.

r) Create a Downtown Hamilton Partnership

Establish a Downtown Hamilton Partnership, a small group of leaders of business, government and the community at large, who would set broad, strategic direction for Downtown initiatives, but whose work would be done through existing organizations and special task groups created to achieve specific results.

s) Engage a Downtown Co-ordinator

Examine the possibility of hiring a Downtown Co-ordinator with responsibility to follow-up on the actions outlined in the Downtown Partnership Strategy. The Co-ordinator would be a full-time advocate for the Downtown, operating at arm's length from municipal authorities, but with the support of municipal resources.

t) Include Funding for Initiatives in Current and Capital Budgets

Create a separate Downtown current and capital budget within the overall budgets of the Regional Municipality and the City of Hamilton, in order to allow priorities to be established and work to be more effectively co-ordinated.

u) Financial Assistance To Property Owners

Investigate and if feasible implement, financial assistance programs to property owners such as Heritage grants/loans for rehabilitation of historically significant buildings within the CIPA.

v) Increase in Assessment Rebate Program

Investigate the potential of implementing a rebate program for property owners who improve their properties thereby increasing the property's assessment. If the potential for the program is feasible implement the Program.

w) Bus Shelters in Gore Park

Monitor the bus shelter issue in Gore Park.

x) Garbage Containers in Alleyways

Modify the design of the garbage containers in the back alleyways and produce a prototype of the design to determine whether the difficulties encountered through garbage collection is addressed. Continue to work with the B.I.A.'s to address the concerns.

y) Improve Media Relations

Establish a rapport with the local media. Feed the media with news on the downtown and celebrate successes.

z) Perimeter Road

The implementation of the Perimeter Road will alleviate the through traffic and truck traffic from the downtown.

aa) Examination of Non-Resident Library Fees

Study the possibility of eliminating the non-resident library fees to encourage residents from the Region to visit the Central Library in the Downtown.

bb) Pedestrian Improvement

Investigate improvements that will make the Downtown more pedestrian friendly. Possibilities could include: sidewalk widening, canopies, re-cyclable bins, additional benches, increased lighting, additional flowers and trees, and, installation of sign trees.

cc) Murals for the B.I.A.'s.

Create wall murals within the Downtown area and investigate other public art opportunities.

dd) Grey Cup Festivities

Approach the owners of empty storefronts to obtain permission to use the window area for displays. Install Grey Cup banners and Canadian flags. Create a mural that is free standing on public property in front of abandoned property. Install lighting in street trees and flood lighting for significant buildings.

ee) Mustard Festival

Implement festivals in the Downtown such as an Annual Mustard Festival.

ff) Sustainable Development Day

Bring the Sustainable Development activities to the Downtown core. Include downtown tours in the programming.

gg) Ferguson Avenue Redevelopment

Implement the downtown portion of the Ferguson Avenue Redevelopment Plan that creates a continual pedestrian/bicycle link between the Escarpment, the Downtown and the Bay. The Downtown portion creates a cultural area within the International Village B.I.A. providing the opportunities to hold many events within this area.

hh) Hughson Street

Review the potential for implementing the Hughson Street Study that proposes the creation of a pedestrian only area on Hughson Street between Hunter and King William Streets.

ii) Gore Park Heritage Study

Implement the Gore Park Heritage Study, a Study that identifies the potential for rehabilitating the historical significance of the buildings surrounding Gore Park.

jj) Downtown Demographic Analysis

Complete a demographic analysis of the downtown based on the 1996 Stats Canada information when available, as well as carrying out surveys, to better understand the surrounding community and to use as possible marketing tools for prospective businesses/developers.

kk) Research Downtown Initiatives in Other Communities

Continue to contact other communities to determine what has aided in revitalizing their Downtowns as well as what hasn't.

ll) Traffic Calming Initiatives

As part of a transportation review investigate traffic calming initiatives.

mm) Improve Safety and Security Initiatives

Investigate the possibility of hiring Ambassadors for the Downtown by contacting other communities that have implemented this initiative, and if appropriate and implement a similar program. The duties of Ambassadors range from cleaning the street to directing people and calling in to the Police Department when the need arises.

nn) **Hamilton/Halton Homebuilders Agreement**

Partner with the Hamilton-Halton Homebuilders Association for the purpose of co-ordinating the development of one or two blocks within the Downtown core. The development will act as a catalyst for other development initiatives.

10. **CONCLUSION**

The approval of a Downtown Community Improvement Plan will provide a legislative basis and context for some of the initiatives identified to foster Downtown revitalization. The Plan is intended to bring these efforts together within one document in order to ensure that the Downtown is dealt with in a comprehensive and co-ordinated manner, and that the initiatives identified can be directed towards community improvement.

As previously stated, each initiative is to be developed and evaluated on its own merit and taken through the appropriate approval process (Standing Committee and Council if needed), and if applicable, the appropriate funding process.

As these projects and others are approved they will be attached as further appendices to this document without requiring amendment to the Plan.

APPENDIX "A"

Summary of Terms of Hamilton Downtown Convert/Renovate-to-Rent Loan Program

- | | | |
|-----|---|--|
| (a) | Lender: | The Corporation of the City of Hamilton |
| (b) | Duration of Loan Program: | Until terminated by City Council |
| (c) | Initial Loan Capital: | \$180,000 - City funds |
| | Additional Loan Capital: | \$180,000 - Region funds |
| (d) | Loan Interest rate: | Zero interest |
| | Interest on arrears: | 12.9996% per annum or such tax arrears interest rate established by Council. |
| (e) | Maximum Loan Term: | Ten years (subject to prior termination on default)
Principal repayable in monthly amounts over 120 months |
| (f) | Maximum Loan: | The lesser of cost or \$12,000 per apartment unit with a maximum of \$48,000 loan per property; |
| (g) | Purpose of Loan: | Costs of converting upper floors of commercial buildings into apartments or renovations to bring existing apartments into compliance with the Property Standards By-law and Fire Code. The existing apartments must be in commercial buildings; |
| (h) | Security: | Promissory Note and Lien on property being improved and/or a collateral mortgage on other property subject to City's minimum equity requirement; |
| (i) | Minimum Equity Requirement: | Owner shall have not less than 25% equity in the appraised value of the property offered as security, including value of alterations being financed; |
| (j) | Realty Taxes: | In good standing at all times |
| (k) | Eligible Costs: | All costs associated with the conversion or renovations to be borne by the applicant including construction, design, appraisal, legal, registration fees. City retains right to assess reasonableness of costs and which costs are eligible for program; |
| (l) | Sale or Refinancing of Property: | Loan due in full; |
| (m) | Revolving Loan Account: | Loan repayments to be credited to loan program account for re-lending; |
| (n) | Except as provided above, subject to City's usual lending criteria. | |

Downtown Savings

Before Downtown Initiatives		After Downtown Initiatives
Development Charges Commercial - City	\$ 0.00	\$ 0.00
Commercial - Region	\$2.64 / m ²	\$ 0.00
Residential - City	single, semi or row - \$1,565.44 2 or more bedroom apt. - \$894.54 1 bedroom apt. - \$447.27	\$ 0.00 \$ 0.00 \$ 0.00
Residential - Region	single family - \$3,113.00 multiple family - \$3,798.00 apartment - \$2,191.00	\$ 0.00 \$ 0.00 \$ 0.00
Fees *		\$ 0.00
Official Plan Amendment	\$1,730.00	\$ 0.00
Zoning By-Law Amendment	\$1,730.00	\$ 0.00
Minor Variance (1 or 2 family dwelling)	\$250.00	\$ 0.00
Minor Variance (all others)	\$400.00	\$ 0.00
Building Permits	\$150.00 for 1st \$10,000.00 of estimated construction value + \$9.00 each additional \$1,000.00	\$ 0.00
Site Plan Application	\$1,020.00	\$ 0.00
Revision of Approved Site Plan	\$410.00	\$ 0.00
5% Parkland Dedication	5% or cash equivalent	0 % or \$ 0.00, if building permit is issued by Sept. 1 1999
Public Parking in the Downtown (designated lots only)	\$0.80/hr - \$1.60/hr	\$ 0.00 (Thursday & Friday evenings & all day Saturday)
Parking Requirements Residential	0.8 spaces per class A dwelling unit	0 spaces for renovations/conversions 0 spaces for new construction
Lot Area Requirements for Multiple Dwellings In "1" Districts	"1" District - 65m ² (699.68 square feet) lot area per dwelling unit	gross floor area not to exceed 2.85 times the area of the lot

* Fees are refundable at the time of issuance of a building permit if issued by Sept. 1/99 and the fees are paid for after Aug. 27/96.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.96-

TO AUTHORIZE AN EXTENSION AGREEMENT

FOR PAYMENT OF REALTY TAX ARREARS

WHEREAS the Municipal Tax Sales Act, R.S.O. 1990, c.M.60, (hereinafter referred to as the "Act"), states that the Council of a municipality may, by by-law, authorize an Extension Agreement with the owner of land in arrears of realty taxes in excess of three (3) years after the registration of a Tax Arrears Certificate and before the expiry of the one year redemption period;

AND WHEREAS the Municipal Tax Sales Act (section 8) states that the said Extension Agreement may extend the period of time, upon the terms specified therein, within which the Cancellation Price is to be paid;

AND WHEREAS, pursuant to the Municipal Tax Sales Act, the Treasurer did register a Tax Arrears Certificate indicating arrears of realty taxes in excess of three (3) years on the lands described in Schedule "A" annexed hereto,

AND WHEREAS, the said land is recorded by The Corporation of the City of Hamilton under the specific Tax Roll Serial Nos. indicated in Schedule "A" annexed hereto.

AND WHEREAS, The Owners of the lands described in Schedule "A" have requested that the City exercise its discretion to pass a bylaw to authorize an Extension Agreement to extend the period of time in which the Cancellation Price may be paid.

AND WHEREAS the one year period within which this by-law may be enacted will therefore expire on the days described as the redemption date of Schedule "A" attached hereto.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) The time open for acceptance and the permitted payments of the Cancellation Price beyond the expiry of the said one year redemption period as set out in Schedule "A" are hereby authorized to be extended pursuant to an Extension Agreement.

(b) The owner of the land described in Schedule "A" may, on or before the redemption date, enter into the Extension Agreement with The Corporation of the City of Hamilton, and the Mayor and City Clerk are hereby authorized to execute the Extension Agreement on behalf of the City.
2. As provided in the Municipal Tax Sales Act, notwithstanding any other provision of this Extension Agreement, it is understood and agreed that while the Extension Agreement remains a subsisting agreement in good standing:

(a) that the Extension Agreement does not reduce the amount of the Cancellation Price.

(b) that the Extension Agreement does not prohibit any person from paying the Cancellation Price at any time.

(c) that any person may pay the Cancellation Price at any time.

(d) that the Extension Agreement terminates upon payment of the Cancellation Price by any person.

(e) that the Extension Agreement shall cease to be considered a subsisting Extension Agreement for purposes of section 9(2) of the Act, when and under what conditions set out in the Extension Agreement.

3. As also provided in the Municipal Tax Sales Act,

(a) while such Extension Agreement is in good standing, the period of such time shall not be counted in calculating the time within which the Cancellation Price may be paid.

(b) upon default by owner in complying with the Extension Agreement or any term thereof, the Extension Agreement shall cease and, (unless there remains time within which the Cancellation Price may be paid and is paid), the land shall be offered for sale by the Treasurer.

PASSED this day of 1996, A.D.,

CITY CLERK

MAYOR

SCHEDULE "A"
EXTENSION AGREEMENTS

A)	PROPERTY ADDRESS	234 GRAHAM AVE. S.
	SERIAL NUMBER	04 03020 3680
	BRIEF LEGAL DESCRIPTION	PLAN 546 LOT 300
	DATE OF REGISTRATION	SEPTEMBER 24, 1996
	INST # OF TAX ARREARS CERTIFICATE	LT420807
	REDEMPTION DATE	SEPTEMBER 24, 1997
	TOTAL ARREARS	\$10,440.69

BY-LAW NO. 96 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 12TH DAY OF NOVEMBER A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 12th day of November A.D. 1996

CITY CLERK

MAYOR

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1996 November 21



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GOVERNMENT DOCUMENTS

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**Tuesday, 1996 November 26
7:30 o'clock p.m.
Council Chambers, City Hall**

**J. J. Schatz
City Clerk**

A G E N D A

- 1. National Anthem.**
- 2. Opening Prayer: Pastor Ron Sikkema
First Reformed Church**
- 3. Presentations:**

Framed Photographs
(a) Funding the redevelopment of a portion of Mountain Drive Park
Mr. Pielechaty
Mr. Bud Kennish
Mr. Willem Van der Beek

(b) Mr. Mansaram to present "The Automated Image" poster to the Mayor
- 4. Adoption of the minutes of the meetings held:**

(a) November 12, 1996 (regular meeting)
(b) November 19, 1996 (special meeting)
- 5. Correspondence\Petitions**

6. *Reports of the Standing Committees:*

- (b) Parks and Recreation Committee*
- (c) Planning and Development Committee*
- (d) Finance and Administration Committee*
- (e) Nominating Committee*

7. *Notice of Motion from previous meeting - Alderman F. Eisenberger*

8. *Notices of Motion for next meeting.*

9. *Question Period.*

10. *Adjournment.*

MINUTES

1996 November 12

Minutes of Hamilton City Council
Tuesday, 1996 November 12
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Father Emeric Fuzy, St. Cyril and Methodius Slovak Roman Catholic Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meeting held 1996 October 29 were adopted as circulated.

PRESENTATIONS

Mayor R. Morrow was presented with a cheque in the amount of \$5,000 from Jim Vanderkooy, Principal of the Hamilton District Christian High School for the Traffic Island Beautification Program.

* * * * *

1996 November 12

Mayor R. Morrow was presented with two plaques from Chris Hamilton of the Geritol Follies. These plaques are from the Lord Provost of Edinburgh and the Lord Provost of Glasgow.

* * * * *

Mayor R. Morrow was presented with a publication entitled "The Time of Their Lives" from Reverend Melville Bailey.

* * * * *

Mayor R. Morrow was presented with a poem by Ross Robinson entitled "The Spirit of Hamilton".

* * * * *

Mayor R. Morrow presented a Certificate of Recognition to Sarah Spinner in recognition of achieving second place in a prestigious public speaking contest in The Odd Fellows' 47th Worldwide Competition.

* * * * *

Alderman Mary Kiss and Joan MacDonald of the Status of Women Sub-Committee presented the Womens History Student Awards. First Prize for the Grace Hartman Group Project was Ms. Pat Rocco's Grade 11 Art Class from Hill Park Secondary School. Second Prize for the Emily Carr Narrative and art work submitted by Grade 12 student, Lisa Lambertus from Delta Secondary School. Third Prize was the Nellie McLung painting submitted by Grade 11 student, Sara Newman from Westdale Secondary School.

CORRESPONDENCE

1. Facsimile dated 1996 November 12 from M. Jane Lee, Clerk/Director of Administrative Services for the Town of Flamborough respecting Local Government Restructuring.

Received.

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, and the Nominating Committee be considered in Committee of the Whole with Alderman Anderson in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

TRANSPORT AND ENVIRONMENT COMMITTEE - FIFTEENTH REPORT

Section 38 Re: West Central Branch of the Ministry of the Environment and Energy - 97 Frid Street

It was moved by Alderman Kiss and seconded by Alderman Copps that Section 38 of the Fifteenth Report of the Transport and Environment Committee be referred back.

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - EIGHTEENTH REPORT

Section 2 Re: Commerical Loan for Trillion Investment Corporation

It was moved by Alderman Drury and seconded by Alderman D'Amico that Section 2 of the Eighteenth Report of the Planning and Development Committee for 1996 be deleted.

CARRIED.

* * * * *

Rule No. 9 Re: Revised Board of Management, Westdale Village Business Improvement Area.

It was moved by Alderman Drury and seconded by Alderman D'Amico that Rule No. 9 be invoked in order to permit consideration of resolutions respecting the Revised Board of Management, Westdale Village Business Improvement Area. **CARRIED.**

* * * * *

Section 7 Re: Revised Board of Management, Westdale Village Business Improvement Area.

It was moved by Alderman Drury and seconded by Alderman D'Amico that the Eighteenth Report of the Planning and Development Committee for 1996 be amended by adding Section 7 as follows:

7. (a) That Schedule "B" of By-law No. 95-042, appointing the Westdale Village B.I.A. Board of Management be repealed and the following substituted therefore:

SCHEDULE 'B'

D. Upsdell	Westdale Jewellers Ltd.
S. Snider	The Picture Frame
M. B. Ledden	Judy Marsales Real Estate
R. Lahie	Jack Carruth Shoes Ltd.
G. Ditner	Cottage Florist
D. Simpson	Simpson Watson and Vujnovic
C. Gerrie	Journey to the East
K. Patterson	Oddities
D. Thorne	Truth
B. Davison	Design House Inc.

- (b) That the City Solicitor be authorized and directed to amend Schedule 'B' of By-law No. 95-042 pursuant to (a) above. **CARRIED.**

* * * * *

Section 8 Re: Introduction of Bill C-66

It was moved by Alderman Drury and seconded by Alderman D'Amico that the Eighteenth Report of the Planning and Development Committee for 1996 be amended by adding Section 8 as follows:

8. That the following Bill be adopted, signed, sealed and enrolled as a By-Law:
- (a) C-66 A By-Law to Amend By-Law No. 86-98 as amended by By-Laws No. 92-074 and 95-042 respecting Members of the Westdale Business Improvement Area. **CARRIED.**

<p>FINANCE & ADMINISTRATION COMMITTEE - EIGHTEENTH REPORT</p>
--

Section 17 Re: Retail Floor Space in Phase IV of Jackson Square

It was moved by Alderman Charters and seconded by Alderman Ross that Section 17 of the Eighteenth Report of the Finance and Administration Committee for 1996 be amended by deleting Sub-section (a) in its entirety and replacing it as follows:

- (a) That a letter be sent to the Assessment Division of the Ministry of Finance requesting that the portion of the retail floor space in Phase IV of Jackson Square occupied by non profit organizations, be treated on an equitable basis with the third floor of the Hamilton Eaton Centre; and, **CARRIED.**

* * * * *

Rule No. 9 Re: Memorandum of Agreement with CUPE Local 167

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting a Memorandum of Agreement with C.U.P.E. Local 167. **CARRIED.**

* * * * *

Section 19 Re: Memorandum of Agreement with CUPE Local 167.

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 19 of the Eighteenth Report for 1996 of the Finance and Administration Committee:

19. That the Memorandum of Agreement between the Corporation of the City of Hamilton and C.U.P.E. Local 167, dated 1996 October 29th, covering the period between 1996 April 1 to 1999 March 31 be approved and implemented in accordance with the terms therein. **CARRIED**

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Agro, McCulloch, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Anderson, D'Amico, Ross. -14

NAYS: Alderman Caplan. -1. **CARRIED.**

* * * * *

Rule No. 9 Re: Extension of Hours - Grey Cup Week-end

It was moved by Alderman Charters and seconded by Alderman Jackson that Rule No. 9 of Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to permit consideration of a resolution respecting an extension of hours in connection with the Grey Cup Week-end. **CARRIED.**

* * * * *

Section 20 Re: Extension of Hours - Grey Cup Week-end

It was moved by Alderman Charters and seconded by Alderman Jackson that the following be added as Section 20 of the Eighteenth Report for 1996 of the Finance and Administration Committee:

20. (a) That the Liquor Licence Board of Ontario be advised that the City of Hamilton has deemed the Grey Cup Game and Festival being held in the City of Hamilton during the weekend of 1996 November 21 - 24 to be events of national and municipal significance; and,

- (b) That the Liquor Licence Board of Ontario be further advised that the City of Hamilton is aware of the application of Last Minute Larry's Bar and Grill located within the Royal Connaught/Howard Johnson Plaza Hotel for an extension of hours on Saturday, 1996 November 23rd in order to commence serving liquor at 9:00 o'clock a.m. until 11:00 o'clock a.m. for the Annual C.B.C. Sportswriters' "Heart-Starter Breakfast" function and presentation and "Hall of Fame" Inductee gathering in conjunction with the Grey Cup.

CARRIED.

NOMINATING COMMITTEE - SIXTH REPORT

RESOLUTION

Rule No. 9 Re: Grey Cup Festival

It was moved by Alderman Eisenberger and seconded by Alderman Collins that Rule No. 9 of the City's Procedural By-law No. 95-167 be invoked for this meeting of City Council in order to allow the introduction of a resolution respecting permission to be given to the Grey Cup Hamilton Inc. to hold entertainment with amplified sound in the downtown area at MacNab and Main Streets and on the property of the Hamilton Board of Education Administrative Offices during the Grey Cup Festival.

CARRIED.

* * * * *

Re: Grey Cup Festival

It was moved by Alderman Eisenberger and seconded by Alderman Collins that approval, as required by City of Hamilton Municipal Noise By-law No. 79-292, Schedule 3, Section 2(1) (c).2, be given to Grey Cup Hamilton Inc. to hold entertainment with amplified sound in the downtown area at MacNab and Main Streets and on the property of the Hamilton Board of Education Administrative Offices during the Grey Cup Festival from 1996 November 21 to November 24 inclusive, beyond 11:00 o'clock p.m. to 2:00 o'clock a.m.

CARRIED.

NOTICE OF MOTION
Re: Memorandum of Negotiations

Alderman Fred Eisenberger gave notice that he would move at the next meeting of City Council the following:

"That Hamilton City Council endorse and approve the final "Memorandum of Negotiations", conducted with Gardner Church and agreed upon by the Negotiating Teams representing the City of Hamilton, the City of Stoney Creek, the Town of Ancaster and the Township of Glanbrook."

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Transport and Environment Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: -0.

CARRIED.

City Council then adjourned at 9:05 o'clock p.m.

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 November 12

Minutes of Special Meeting of
Hamilton City Council
Tuesday, 1996 November 19
7:15 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, Drury, Morelli, Copps, Wilson, Collins,
Charters, Jackson, Merling, D'Amico, Ross.

Absent: Alderman W. McCulloch - civic business
Alderman F. Eisenberger - civic business
Alderman T. Anderson - civic business

Mayor Morrow called the meeting to order.

SUSPENSION OF RULE 3 (d)

It was moved by Alderman Ross and seconded by Alderman D'Amico that Rule 3(d) of the Procedural By-law No. 95-167 respecting the giving of notice for a special meeting of City Council be suspended for this meeting of City Council. **CARRIED.**

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the resolution respecting participation by the City of Hamilton in the Federation of Canadian Municipalities 20% Club be considered in Committee of the Whole with Mayor Morrow in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Copps,
Wilson, Collins, Charters, Jackson, Merling, D'Amico, Ross. -14

NAYS: -0. **CARRIED.**

RESOLUTION

Rule No. 9 Re: 20% Club

It was moved by Alderman Ross and seconded by Alderman Morelli that Rule No. 9 of Procedural By-law 95-167 be suspended for this meeting of City Council in order to permit consideration of a resolution respecting participation by the City of Hamilton in the Federation of Canadian Municipalities 20% Club. **CARRIED.**

* * * * *

Resolution respecting participation by the City of Hamilton in the Federation of Canadian Municipalities

It was moved by Alderman Ross and seconded by Alderman Drury

- a) That the City of Hamilton commit to working towards reducing greenhouse gas emissions by 20% of 1990 levels first within municipal operations and, then throughout the regional area by the year 2005;
- b) That the Federation of Canadian Municipalities be advised in writing that the City of Hamilton is in support of the "20% Club" and is interested in participating in the Club; and,
- c) That a copy of Report ENV 95-002(a) be included in the correspondence to the Federation of Canadian Municipalities. **CARRIED.**

* * * * *

Resolution re: Adoption of Bill D-58: A By-law to Confirm the Proceedings of Council.

It was moved by Alderman Ross and seconded by Alderman Drury

That the following Bill be adopted, signed, sealed and enrolled as a By-law:

D-58: A By-law to Confirm the Proceedings of the Council of the Corporation of the City of Hamilton. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Resolution be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, D'Amico, Ross. -14

NAYS: -0.

CARRIED.

* * * * *

City Council then adjourned at 7:20 o'clock p.m.

* * * * *

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 November 19
JJS/dg

CORRESPONDENCE

Correspondence:

1. Letter dated 1996 November 8 from Brian K. Nixon, Director, Ministry of Environment and Energy respecting Amendment Number 101 to the Niagara Escarpment Plan.

Recommendation: **Referred to the Planning and Development Committee**

2. Letter dated 1996 November 7 from Ms. Susan L. Steele, Town Clerk for the Corporation of the Town of Dundas respecting St. Joseph's Villa Day Care Program - Financial Support.

Recommendation: **Referred to the Finance and Administration Committee**



ENVIRONMENTAL PLANNING & ANALYSIS BRANCH

3rd Floor

Tel. (416) 440-3772

Fax. (416) 440-7039

November 8, 1996

Mr. Joseph Schatz
Clerk
City of Hamilton
City Hall
71 Main Street West
Hamilton, Ontario
L8G 4N9

Dear Mr. Schatz:

Re: Amendment Number 101 to the Niagara Escarpment Plan

Cabinet has completed its deliberations on the above-noted proposed Amendment to the Niagara Escarpment Plan. Pursuant to Section 11(1) of the *Niagara Escarpment Planning and Development Act*, I have enclosed copies of Cabinet's decision as well as a copy of the approved Amendment for your information.

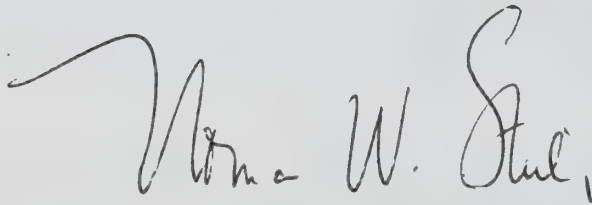
Should you have any questions please contact Mr. Jim Clifford, Manager, Environmental Planning Section, Environmental Planning and Analysis Branch, at (416) 440-3739.

Sincerely,

Brian K. Nixon
Director

cc: Cecil Louis, Assistant Director
Niagara Escarpment Commission

**I, Norman W. Sterling,
Minister of Environment and Energy, hereby
certify that the attached amendment
is a true copy of Amendment Number 101 to the
Niagara Escarpment Plan.**

A handwritten signature in dark ink, appearing to read "Norman W. Sterling", is written over a horizontal line.

Norman W. Sterling

Minister of Environment and Energy

PROPOSED AMENDMENT NO. 101 TO THE NIAGARA ESCARPMENT PLAN

March 24, 1994

Part A - The Preamble

Purpose: The proposed amendment to the Niagara Escarpment Plan is to make a site-specific exception to the permitted uses of the Mineral Resource Extraction Area designation to permit a portable asphalt plant to be located on the subject property.

Location: Part Lot 28, Concession 10, Keppel Township, Grey County.

Applicant: Harold Sutherland Construction Ltd.

Basis: Under Section 12 of the Niagara Escarpment Planning and Development Act, application may be made to the Niagara Escarpment Commission by any persons, ministry, or municipality requesting an amendment.

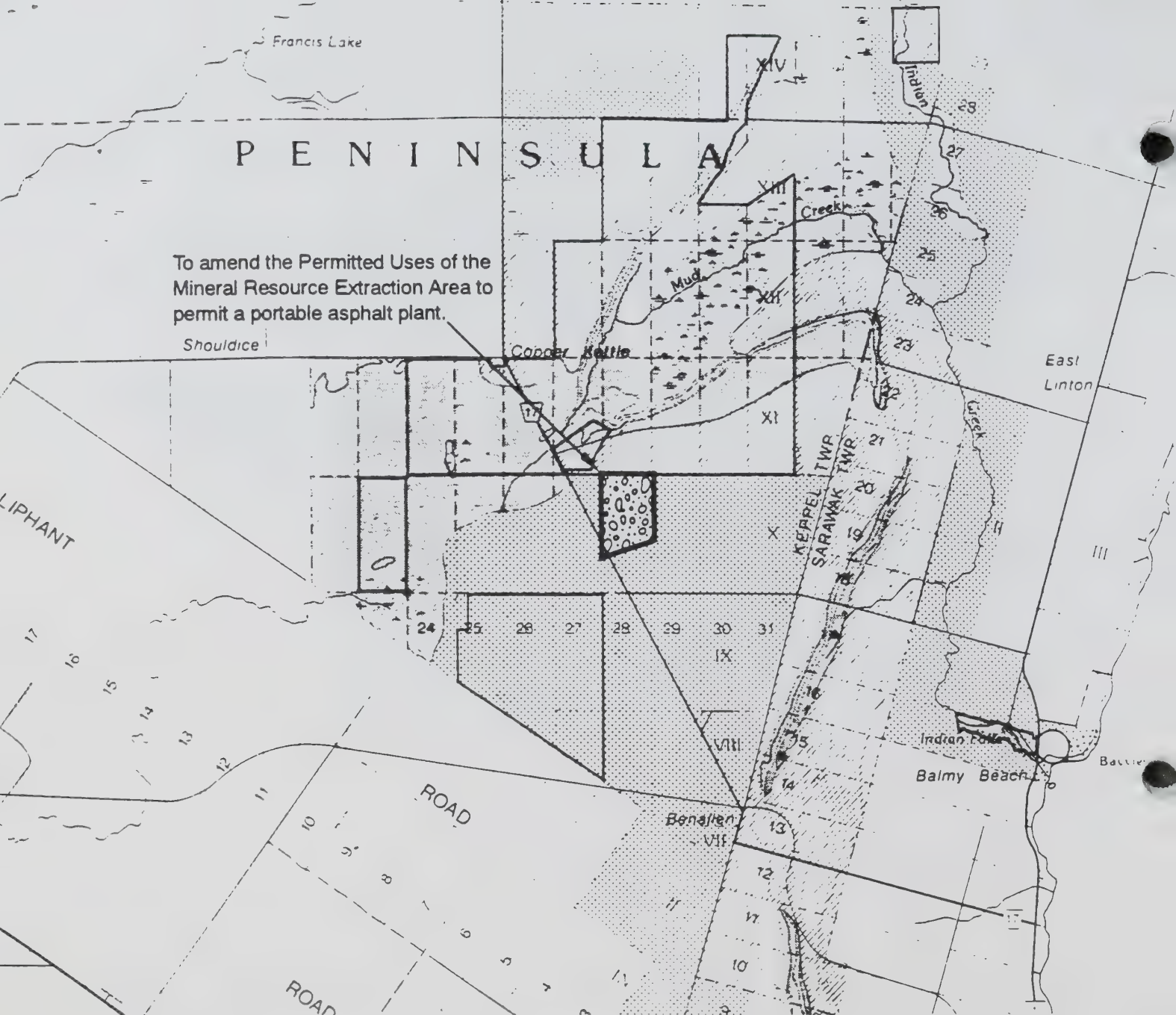
The applicant, Harold Sutherland Construction Ltd., has requested an amendment to permit a portable asphalt plant within a licensed quarry.

Part B - The Amendment

The Niagara Escarpment Plan is hereby amended as follows:

1. Part 1.9 Mineral Resource Extraction Area is amended by the addition of the following subsection to the "Permitted Uses":

"A portable asphalt plant in the area of Part Lot 28, Concession 10, Township of Keppel, County of Grey as shown on Schedule A for the duration of extraction at the quarry on this property."



SCHEDULE A

MAP SHOWING AMENDMENT NO. 101

LEGEND

Escarpment Natural Area	Urban Area
Escarpment Protection Area	Escarpment Recreation Area
Escarpment Rural Area	Mineral Resource Extraction Area
Minor Urban Centre	Public Land (in Parks System)

SCALE 1:50,000

METRES 1000 500 0 1000 2000 3000



Order in Council Décret

Executive Council
Conseil des ministres

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and concurrence of the Executive Council, orders that:

Sur la recommandation du soussigné, le lieutenant-gouverneur, sur l'avis et avec le consentement du Conseil des ministres, décrète ce qui suit:

WHEREAS by Order in Council OC-1631/85, dated the 12th day of June, 1985, the Niagara Escarpment Plan was approved;

AND WHEREAS by Order in Council OC-1475/94, dated the 15th day of June, 1994, the revised Niagara Escarpment Plan was approved;

AND WHEREAS certain amendments to the 1985 Niagara Escarpment Plan and the revised 1994 Niagara Escarpment Plan have been approved from time to time (the "Plan") pursuant to section 12 of the *Niagara Escarpment Planning and Development Act*, R.S.O. 1990, Chapter N.2, (the "Act");

AND WHEREAS pursuant to section 12 of the Act, the Commission initiated an amendment ("proposed Amendment No. 101") to the Plan to make a site specific exception to the permitted uses of the Mineral Resource Extraction Area designation to permit a portable asphalt plant on Part Lot 28, Concession 10, Keppel Township, Grey County;

AND WHEREAS the text of proposed Amendment No. 101 is set out in the Appendix to this Order in Council;

AND WHEREAS pursuant to subsections 10(1)(a) and (d) of the Act, each municipality, county and regional municipality potentially affected by the proposed amendment was invited to make comments thereon;

AND WHEREAS pursuant to subsection 10(1)(b) of the Act, the Niagara Escarpment Commission published notice of the proposed amendment in newspapers having general circulation in the Planning Area as the Commission considered appropriate, notifying the public of the proposed amendment and inviting comments thereon;

AND WHEREAS pursuant to subsection 10(1)(c) of the Act, the proposed amendment was provided for comment to two advisory committees appointed under section 4 of the Act to advise and make recommendations to the Minister, through the Commission, in respect of the preparation and implementation of the Plan;

AND WHEREAS pursuant to subsection 10(6) of the Act, Mr. John McClellan, after conducting a hearing with respect to the proposed amendment, submitted a report to the Niagara Escarpment Commission with a copy to the Minister, recommending that the proposed amendment not be approved;

AND WHEREAS pursuant to subsection 10(7) of the Act, the Niagara Escarpment Commission, after considering the comments received and the report of the Hearing Officer, submitted the proposed amendment and its recommendations thereon to the Minister;

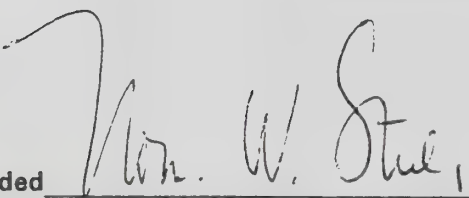
AND WHEREAS pursuant to subsection 10(9) of the Act, the Minister considered the recommendations of the Commission and of the Hearing Officer and submitted the proposed amendment with the Minister's recommendation to the Lieutenant Governor in Council that the report of the Hearing Officer not be approved;

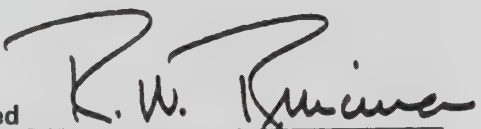
AND WHEREAS pursuant to subsection 10(10) of the Act, notice of the proposed amendment and the Minister's recommendation thereon was provided to the public, and a twenty-one day period was provided during which anyone having concerns could make representations to the Lieutenant Governor in Council;

AND WHEREAS the Minister has considered the comments received from the public, and has submitted the Minister's recommendation to the Lieutenant Governor in Council that proposed Amendment No. 101 be approved;

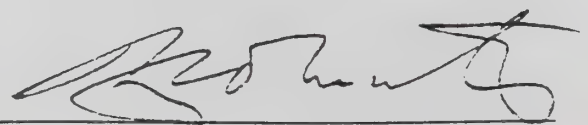
AND WHEREAS the Lieutenant Governor in Council is in agreement with the Minister's recommendation;

THEREFORE, pursuant to subsection 12(2) of Act, proposed Amendment No. 101 to the Niagara Escarpment Plan be approved.

Recommended 
Minister of Environment and Energy

Concurred 
Chair of Cabinet

Approved & Ordered NOV - 8 1996
Date

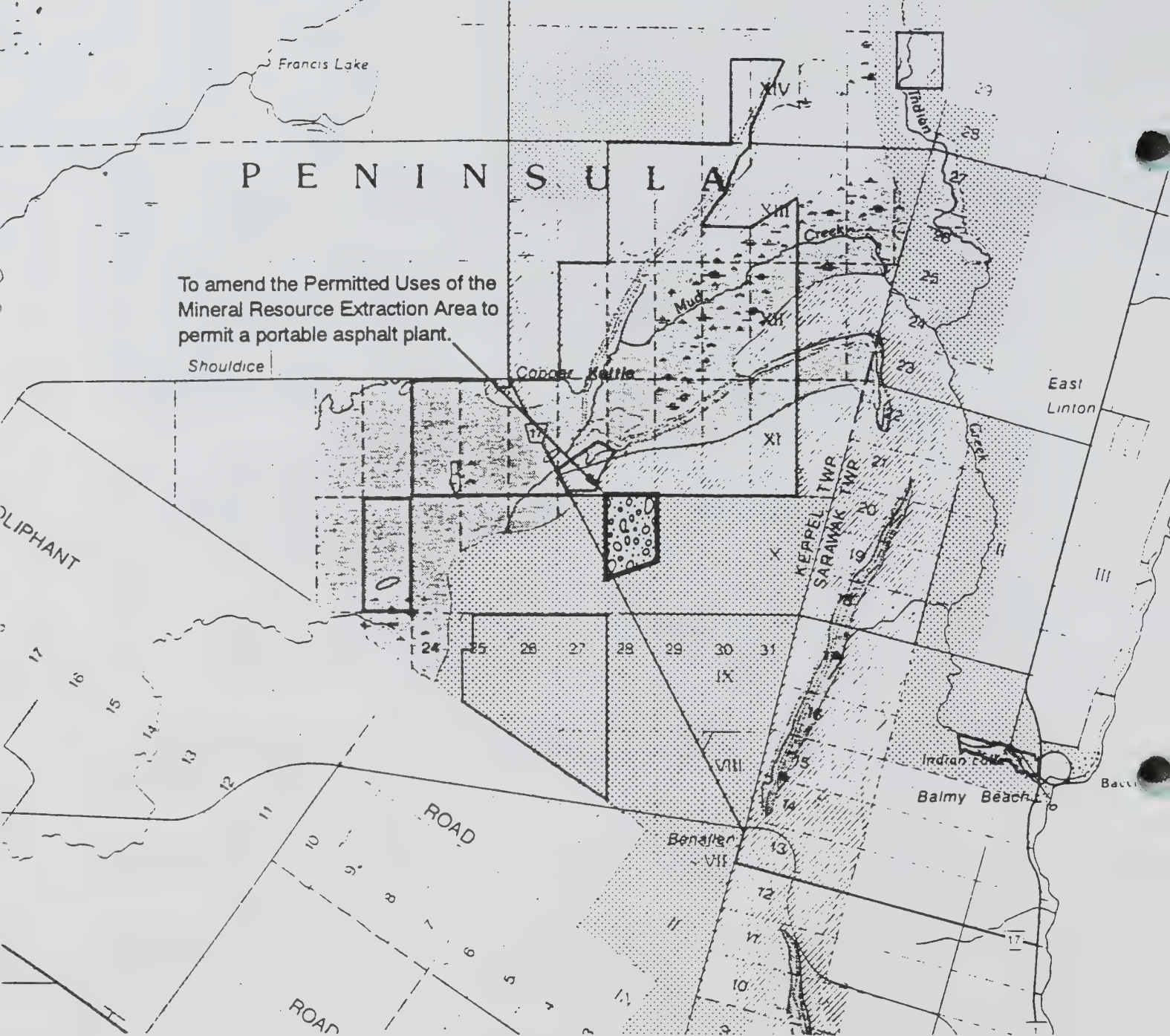

Administrator of the Government

APPENDIX

The Niagara Escarpment Plan is hereby amended as follows:

1. Part 1.9 Mineral Resource Extraction Area is amended by the addition of the following subsection to the "Permitted Uses":

"A portable asphalt plant in the area of Part Lot 28, Concession 10, Township of Keppel, County of Grey as shown on Schedule A for the duration of extraction at the quarry on this property."



SCHEDULE A

MAP SHOWING AMENDMENT NO. 101

LEGEND

Escarpment Natural Area

Escarpment Protection Area

Escarpment Rural Area

Minor Urban Centre

Urban Area

Escarpment Recreation Area

Mineral Resource Extraction Area

Public Land (in Parks System)

SCALE 1:50 000

METRES 1000 500 0 1000 2000 3000



2.

CORPORATION OF THE TOWN OF DUNDAS

OFFICE OF THE
TOWN CLERK

TOWN HALL, 60 MAIN STREET, P.O. BOX 8584, DUNDAS, ONTARIO L9H 5E7
TELEPHONE: (905) 628-6327 FAX: (905) 628-5077

November 7, 1996

The City of Hamilton
City Clerk's Department
71 Main Street, 2nd Floor
Hamilton, Ontario
L8N 3T4

ad
CITY COUNCIL

REFER TO F&A

Attention: Mr. J. J. Schatz
City Clerk

Re: St. Joseph's Villa Day Care Program
Financial Support
Our File F11

Dear Mr. Schatz:

Please be advised that the above noted matter was considered by the General Government Committee on October 28th at which time the attached recommendation was made.

The Town Council endorsed this Committee recommendation at its meeting on November 4, 1996.

Would you please present this request to City Council. If you require additional information, please give me a call.

Yours very truly,

S. L. Steele
Ms. Susan L. Steele, A.M.C.T.
Town Clerk.

SLS:lb
Encl.

November 4, 1996

General Government Committee Report #12-96.

3. The 1997 Grant to St. Joseph's Villa be maintained exclusive of any across-the-board reduction in the Grants-To-Others Budget allocation.

Further, the City of Hamilton be asked to provide financial support to this program.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **FIFTEENTH** Report for 1996 and respectfully recommends:

1. (a) That approval be given to the Director of the Culture and Recreation Department to deaccession the two dimensional objects from the Hamilton Military Museum collection listed on Appendix "A" attached hereto; and,

(b) That the deaccessioned items listed on Appendix "A", be transferred to the Military Museum's non-artifact collection for use as display props or in educational programming according to the Museum Policy.
2. That approval be given to the Director of the Culture and Recreation Department to expend up to \$1,300 from the Hamilton Children's Museum Trust Account No. CH5X942 00813 for the purchase of a larger aquarium for the exhibit floor at the Hamilton Children's Museum.
3. (a) That a plaque commemorating the historical and architectural significance of the MacNab-Charles Heritage Conservation District be initiated and later installed at the south entrance to the MacNab-Hurst Place pedestrian tunnel; and,

(b) That the appropriate plaque wording be forwarded to Parks and Recreation Committee for information at a future date; and,

(c) That the cost for the plaque, estimated at \$2,000 to \$2,500 be charged to Account No. CH55976 71505; and,

(d) That designated property plaques for the Toronto, Hamilton and Buffalo Railway Station and 252 James Street South be initiated pending the availability of funds in Account No. CH55976 71505.

4. That approval, as required by Section 26 of the Fireworks By-law No. 90-198 and Section 5 of the Parks By-law No. 95-126, be granted to the City of Hamilton to hold two stationary fireworks displays, each one minute in length, at Commonwealth square on Tuesday 1996 December 31, at approximately 8:15 o'clock p.m. and 12:00 o'clock midnight, subject to the following terms and conditions:
 - (a) That a licensed fireworks operator be contracted from Hands Fireworks Inc. be responsible for carrying out the fireworks display; and,
 - (b) That Hands Fireworks Inc. have in place \$5 million Comprehensive General Liability Insurance for Property Damage and Bodily Injury, naming the City as co-insured with a cross liability endorsement; and,
 - (c) That Special Duty Police Officers as deemed necessary be at the cost of the event organizers; and,
 - (d) That the organizer assume the responsibility for all labour-related costs as a result of this event including set up and clean up; and,
 - (e) That the terms and conditions be reviewed and monitored by the Special Events/Festival Advisory Team.
5. That the Director of Culture and Recreation be authorized to waive greens fees in order to host the Hunter Armitage Tournament on 1997 July 8 at Chedoke Golf Course.
6. That the Director of Culture and Recreation be authorized to waive greens fees in order to host the Ontario Ladies' Golf Association Sectional in August 1997 at Chedoke Golf Course.
7.
 - (a) That the individuals listed on Appendix "B" attached hereto be confirmed as being the volunteer Executive Committee for the Hamilton-Brantford 2001 Canada Summer Games Bid Team in anticipation of the Bid being short listed for consideration by the Canada Games Council; and,
 - (b) That Aldermen Fred Eisenberger, Bernie Morelli and Terry Anderson be confirmed as Council's representatives on the Bid Partners Group; and,

- (c) That the individuals listed on Appendix "C" be confirmed as the Staff Resource Group assigned to support the work of the Executive Committee in winning the Bid for Hamilton-Brantford; and,
 - (d) That Council express its appreciation to Mr. Colin Millar for his contributions to developing the Bid and the Bid team and to Mr. Ron Foxcroft and his Bid Team for their outstanding performance on Provincial Site Evaluation Day.
- 8.
 - (a) That, subject to verification of system compatibility, the Director of the Culture and Recreation Department be authorized to enter into a contract with Escom Software Services to provide a computerized facility permitting system called "Class", being the best qualified bid, to an upset limit of \$25,000; and,
 - (b) That the Director of Culture and Recreation be authorized to implement system upgrades inclusive of network and e-mail access for Culture and Recreation facilities in accordance with City standards to an upset limit of \$160,000; and,
 - (c) That the City Treasurer be authorized to set up a work-in-progress account in the amount of \$160,000 for the above-noted purchases; and,
 - (d) That the project be financed from the Reserve for System Improvements Account CH00130.
- 9.
 - (a) That the Director of Culture and Recreation be authorized to implement the 1997 Business Plan for The Coach House at Dundurn Castle dated 1996 November 11, available for viewing in the Office of the City Clerk; and,
 - (b) That the new organizational structure for the Cultural Division, Department of Culture and Recreation, attached hereto as Appendix "D", be approved.

10. (a) That the City Treasurer be directed to revise the T. B. McQuesten Multi-Cultural Park Development Capital Account Centre No. CF629254005 as T. B. McQuesten Park on Upper Wentworth as a Community Park with a revised gross cost of \$2,115,525 (i.e. \$395,525 amount spent and committed to-date plus an additional \$1,720,000 required to develop the park as a community park) and this amount be financed from the existing debenture authorization; and,

(b) That the City Solicitor be authorized to revise the O.M.B. Order No. E920490 dated 1992 June 26 as revised on 1994 July 7 and City By-law No. 92-216 as revised by 94-123 accordingly and cancel the balance of the debenture authorization in the amount of \$5,189,218 (i.e. \$7,304,743 less \$2,115,525 as authorized above).
11. That the Commissioner of Public Works and Traffic be authorized to purchase an all terrain vehicle (4-wheeled motorcycle) in the amount of \$5,842.95 plus taxes for the purpose of monitoring City-owned trail and open space, and the funds be taken from the following accounts: CF5255 639553027 (\$2,500) and CH56398 62107 (\$3,342.95) plus taxes.
12. (a) That the Commissioner of Public Works and Traffic be authorized to construct a permanent building to house the utility components of the spraypad facility and accommodate a community meeting room at Gourley Park; and,

(b) That the Commissioner of Public Works and Traffic be authorized to enter into negotiations for an agreement with the Gourley Park Community Association to cost share in a 50/50 basis up to \$100,000 for the construction of the utility/community building; and,

(c) That the Commissioner of Public Works and Traffic be authorized to prepare a facility use agreement and any other agreements required with the Gourley Park Community Association for the consideration and approval of the Parks and Recreation Committee; and,

(d) That, subject to the approval of the agreements by the Parks and Recreation Committee, the Mayor and City Clerk be authorized and directed to execute the necessary agreements.

13. (a) That the Tariff of Charges for City-owned cemeteries as set out in Appendix "E", attached hereto, be approved upon receipt of approval from the Ministry of Consumer and Commercial Relations, Cemeteries Branch and implemented on 1997 January 1; and,

(b) That the City Solicitor be authorized and directed to prepare a By-law to amend the Cemetery By-law so as to provide for the increase in the Tariff of Charges; and,

(c) That the Manager of Cemeteries be authorized and directed to make application to the Ministry of Consumer and Commercial Relations, Cemeteries Branch for approval of these rates.
14. (a) That the City Treasurer be authorized and directed to carry over to 1997 surplus funds generated from the Celebration '96 OPA Annual General Meeting hosted by the Parks Division in the amount of approximately \$8,640 and to credit this amount to the 1997 Operating Budget Centre 62001 56005 - Computer Software; and,

(b) That the Commissioner of Public Works and Traffic authorized to access the Celebration '96 surplus funding for the purpose of undertaking design and implementation of a Home Page specific to the City's Parks system, and to link this web site on the City's Corporate Home Page, at a cost not to exceed \$8,640.
15. (a) That the date for Council receiving a report from the Chief Administrative Officer on responses from the private sector regarding investment/development interests within the West Harbourfront Precinct be extended from November 1996 to May 1997; and,

(b) That City Council authorize the Mayor to convey to the Government of Canada, Province of Ontario, and CN, the City's ongoing interest in advancing the opportunity of redevelopment of the West Harbourfront Precinct based upon the relocation of the CN marshalling yard and to request of affected parties that no action be taken that would compromise redevelopment opportunities during the extended time that formal expressions of interest for development are being sought from the private sector.

16. (a) That the City adopt as a long term use for its property between Bayfront and Pier 4 Parks, a Plan titled "Development Concept # 2" attached hereto as Appendix "F" which provides for a pedestrian path along the shoreline; and,
- (b) That pedestrian access be implemented as the short term (immediate) priority of the City as follows:
 - (i) That notice be given to the monthly tenant, Scott-MacDonald Limited, of termination effective 1997 April 30 of the current lease as follows:
 - (1) that the City Clerk be authorized to execute a Notice of Termination of Lease in a form satisfactory to the City Solicitor; and,
 - (2) that this Notice to Terminate, so as not to unreasonably interfere with the Tenant's seasonal business, provide that the monthly lease be terminated and vacant possession be turned over to the City by 1997 April 30; and,
 - (ii) That Scott-MacDonald Limited be given the first option to enter a long term agreement with the City for future lease of this area on conditions:
 - (1) long term based on capital improvements; and,
 - (2) recognizing the public access by pedestrian walkway as required by Council; and,
 - (3) upon release of any claim arising from the 1984 Lax Property expropriation; and,
 - (4) rental at fair market rental; and,
- (c) That staff be directed to report back by 1997 February 28 on the negotiations and if a lease has been negotiated, to submit the lease terms to Council for approval; and,

1996 November 26

- (d) That in the event a long term lease is not approved by Council on or before 1997 February 28, that staff be authorized to prepare and submit terms of a proposal call for proponents to lease and develop the property.

Respectfully Submitted,

**ALDERMAN F. EISENBERGER, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

Kevin C. Christenson, Secretary

1996 November 19

**Appendix "A" as referred to in
Section 1 of the Fifteenth Report
of the Parks and Recreation
Committee for 1996**

Two dimensional objects to be deaccessioned from the Hamilton Military Museum collection:

1977.429.64	Lithograph of the poem "In Flanders Fields"
1979.696.1	Poster: cut away view interior of Fokker Dr. Triplane (modern copy)
1979.748.1	3 blueprints: Niagara River 1819 (modern copies)
1979.785.1	Poster: U.S. "Uncle Sam Wants You" (reproduction)
1979.848.1	12 coloured prints of World War I aircraft (most are irrelevant subjects and prints of poor quality)
1983.184.1-6	6 colour prints of British soldiers in full dress (irrelevant subjects)

Appendix "B" as referred to in
Section 7 of the Fifteenth Report
of the Parks and Recreation Committee
for 1996

CANADA GAMES LIST

EXECUTIVE COMMITTEE

Ron Foxcroft
Fluke Transportation
20 Warrington Street
Hamilton, ON L8E 3V1

Colin Millar
6 Balfour
Hamilton, ON L9C 7B1

Ms. Vincenza Travale
59 Nancy Street
Hamilton, ON L8T 3M1

Dr. Mary Keyes, Assistant Provost (Student Affairs)
McMaster University
20-1280 Main Street West
Gilmour Hall, Room 207
Hamilton, ON L8S 4K1

Cecilia Carter Smith
c/o Hillfield Strathallan College
299 Fennell Avenue West
Hamilton, ON L9C 1G3

Gene Sutton
228 Highway 52 South
Ancaster, ON

Ryan Paquette
Paquette & Associates
886 King Street East
Hamilton, ON L8M 1B6

CANADA GAMES LIST

EXECUTIVE COMMITTEE

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Coopers & Lybrand
Chartered Accountants
21 King Street West, 2nd Floor
Hamilton, ON L8P 4W7

Edward C. Hannah
Davies, Ward & Beck
Barristers and Solicitors
P.O. Box 63
1 First Canadian Place, Suite 4400
Toronto, ON M5X 1B1

Paul S. Dixon
Leggat, Baldwin, Keesmaat & Dixon
Barristers and Solicitors
P.O. Box 916, LCD 1
20 Hughson Street South
Hamilton, ON L8N 3P6

Brantford Representatives - T.B.A.

Appendix "C" as referred to in
Section 7 of the Fifteenth Report
of the Parks and Recreation Committee
for 1996

STAFF RESOURCE CONTACT LIST

City of Hamilton

Ross L. Fair, B.A.S.
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Hamilton, L8N 3T4

Dave Cowan, Manager of Outdoor Sports Facilities
Department of Culture and Recreation
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Bob Chrystian, Manager of Parks
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Hamilton, L8N 3T4

Werner Plessl, Co-ordinator, Park Development & Maintenance
Public Works & Traffic Department
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4th Floor
Hamilton, L8N 3T4

Greg Maychak
Sports Association Liaison
Chedoke Twin Pad Arena
c/o Department of Culture and Recreation
71 Main Street West
4th Floor
Hamilton, L8N 3T4

STAFF RESOURCE CONTACT LIST

City of Hamilton

Shelley Merlo-Orzel, Events/Promotion Officer
Department of Culture and Recreation
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4th Floor, Hamilton, L8N 3T4

Vincent Guglielmo, Hospitality Sales Executive
Hamilton Entertainment & Convention Facilities Inc.
101 York Blvd.
Hamilton, L8R 3L4

Region

Joe Fardell, Manager
Tourism & Convention Services
Economic Development
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Hamilton, L8P 4R5

Ward Dilse
Convention Officer
Tourism & Convention Services
Economic Development
1 James Street South
3rd Floor
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McMaster University

Thérèse Quigley
McMaster University
1280 Main Street West
Hamilton, L8S 4K1

Cathie Millar, Director
Housing Services
McMaster University
1280 Main Street West
Commons Building, Room 101
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STAFF RESOURCE CONTACT LIST

McMaster University

Les Millar
Manager of Operations
Department of Athletics & Recreation
McMaster University
1280 Main Street West
Hamilton, L8S 4K1

Brantford

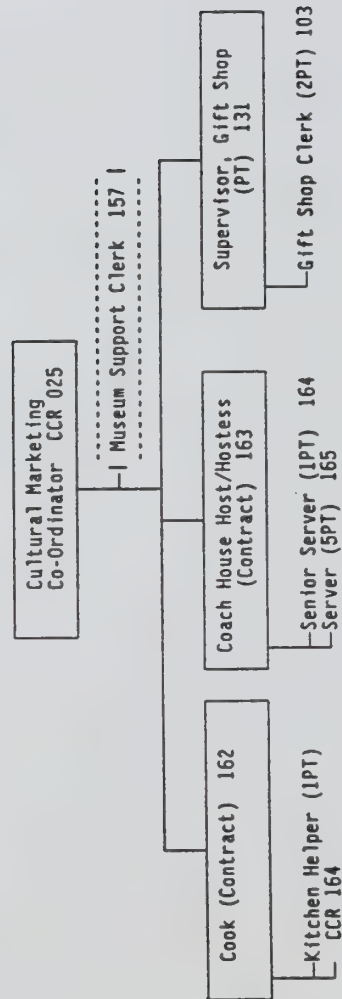
Hans Loewig
Administrator
Parks and Recreation Department
Corporation of the City of Brantford
One Sherwood Drive
Brantford, Ontario
N3T 1N3

Eric Finklestein
Director
Parks and Recreation Department
Corporation of the City of Brantford
One Sherwood Drive
Brantford, Ontario
N3T 1N3

William Page
Special Services Co-ordinator
Parks and Recreation Department
Corporation of the City of Brantford
One Sherwood Drive
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Appendix "D" as referred to in
Section 9 of the Fifteenth Report
of the Parks and Recreation
Committee for 1996

DEPARTMENT OF CULTURE & RECREATION
(PROPOSED)



SCHEDULE OF USER FEES AND OTHER REVENUES

PUBLIC WORKS - CEMETERIES DIVISION

1996 November 26

1996

1997

BURIALS AND REMOVALS

Opening and Closing

- 6 ft. Adult
- 8 ft. Adult
- 6 ft. Child
- case up to 24"
- case 25" to 42"
- case 43" to 60"
- case 61" to 72"
- case up to 60"
- case 61" to 72"
- 8 ft. Child
- Cremation
- Cremorial
- Columbarium
- Mansion of Memories (Stoney Creek)

Lowering (Includes Opening, Removal, Lowering, Closing)

- Adult - 6 ft. to 8 ft. - shell
- Adult - 6 ft. to 8 ft. - concrete vault/crypt
- Child - 6 ft. to 8 ft. - 5 to 10 years
- Child - 6 ft. to 8 ft. - under 5 years

Removals

- Adult - Shell
- Adult - Concrete vault or crypt
- Child - Shell
- Child - Concrete vault or crypt
- Cremation

Appendix "Section 13 of the Parks Committee

Appendix "E" as referred to in
Section 13 of the Fifteenth Report
of the Parks and Recreation
Committee for 1996

PUBLIC WORKS - CEMETERIES DIVISION

1998

[illegible]

SCHEDULE OF USER FEES AND OTHER REVENUES

PUBLIC WORKS - CEMETERIES DIVISION

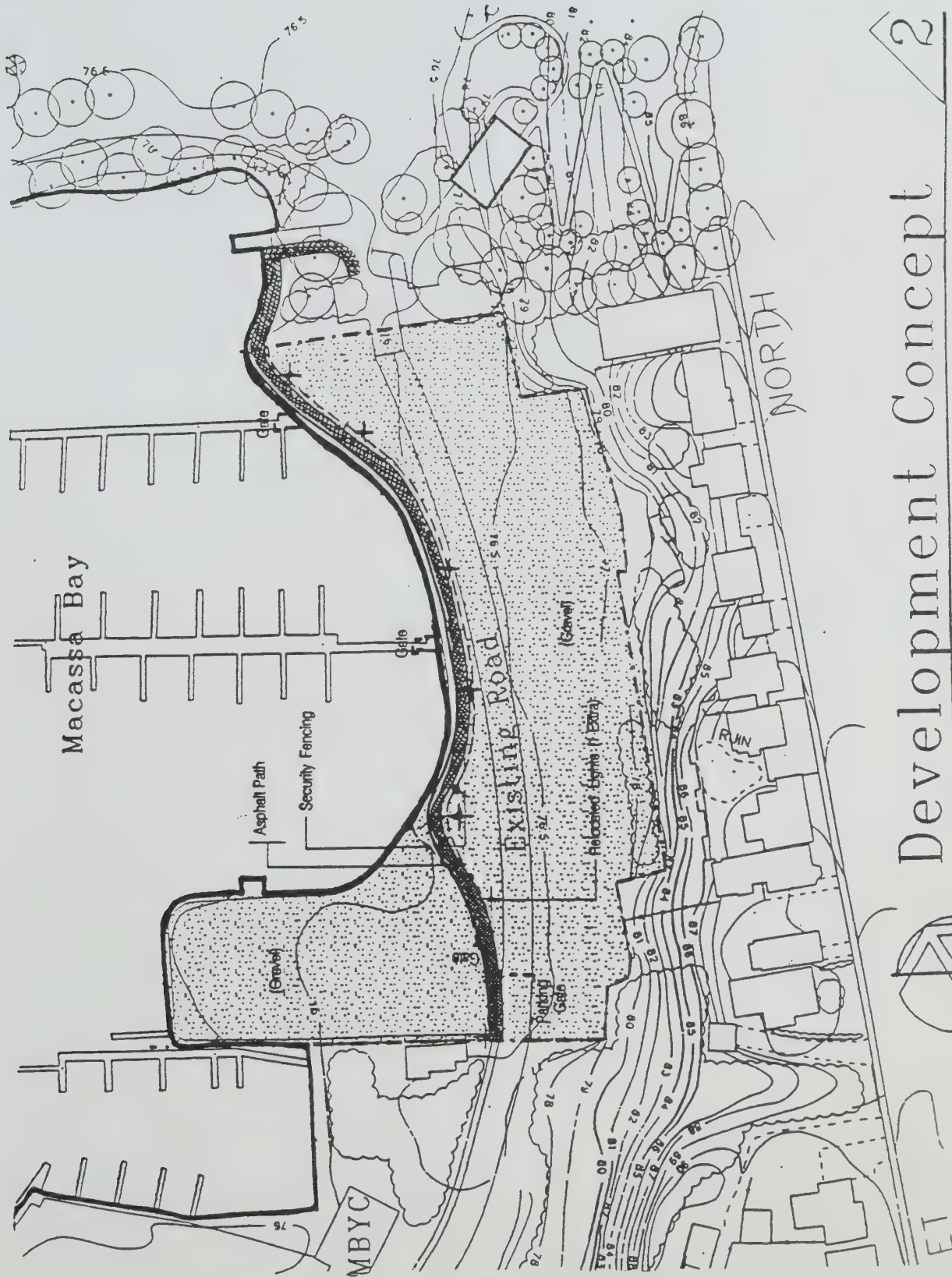
1996 November 26

	1996				1997				% Increase Over 1996
	Resident & Realty Taxpayers		Non-Residents		Resident & Realty Taxpayers		Non-Residents		
	Cost	G.S.T. Total	Cost	G.S.T. Total	Cost	G.S.T. Total	Cost	G.S.T. Total	
ADDITIONAL SERVICES									
- Youth	308.00	21.56		329.56	308.00	21.56		329.56	0%
- Social Services	300.00	21.00		321.00	300.00	21.00		321.00	0%
- Intermediate	330.00	23.10		353.10	330.00	23.10		353.10	0%
- Oversize	350.00	24.50		374.50	350.00	24.50		374.50	0%
- Miscellaneous:									
- Tent in Cemetery	148.00	10.36		158.36	155.00	10.85		165.85	5%
- Rental of tent outside cemetery	202.00	14.14		216.14	212.00	14.84		226.84	5%
- Transfer fee \$40 + G.S.T.	43.00	3.01		46.01	45.00	3.15		48.15	5%
- Bronze Memorial Plaque for Columbarium Niche	301.00	21.07		322.07	316.00	22.12		338.12	5%
- Companion Vase on Columbarium Niche	59.00	4.13		63.13	62.00	4.34		66.34	5%
- Bronze Memorial Plaque for Cremorial	134.00	9.38		143.38	141.00	9.87		150.87	5%
- Supply, install and maintain flower bed to maximum three graves – per grave	107.00	7.49		114.49	112.00	7.84		119.84	5%
Memorial Tree Planting, 12X10 stone, 6X8 Bronze Plaque 3 Lines	375.00	26.25		401.25	394.00	27.58		421.58	5%
- Memorial Bench – 8X5 Bronze plaque – 3 lines	536.00	37.52		573.52	563.00	39.41		602.41	5%
- Flower Pot Hanger	16.00	1.12		17.12	17.00	1.19		18.19	5%
- Temporary Marker					43.00	3.01		46.01	
Note: Special Lettering which carries an extra charge will be added to plaque charge									
NOTE : PERSONNAL COLUMBARIUM AND MAUSOLEUM ARE AVAILABLE ON INDIVIDUAL BASIS									
Family research \$2.00 per name									
CARE AND MAINTENANCE FUND									
- markers and upright monuments:	N/C				N/C				0%
- any flat marker under 173 sq. in.	50.00	3.50		53.50	50.00	3.50		53.50	0%
- any flat marker over 173 sq. in.	100.00	7.00		107.00	100.00	7.00		107.00	0%
- any upright monument <= 4 ft. in length/height	200.00	14.00		214.00	200.00	14.00		214.00	0%
- any upright monument over > 4 ft. in length/height									
Provincial Regulation – these funds are set and trusted									

1997 CEMETERY PRICE COMPARISON

	MEMORIAL GARDENS	OAKVILLE CEMETERIES	GREENWOOD CEMETERY	HAMILTON MUNICIPAL CEMETERIES
TWO GRAVE MONUMENT SECTION	N/A	\$1,940.00 to \$2,494.00	\$2,870.92	\$2,154.00
SINGLE GRAVE FLAT MARKER SECTION	\$1,900.00 to \$3,000.00	\$900.00	\$1,029.46 to \$1,153.22	\$839.00
TWO GRAVE FLAT MARKER SECTION	\$3,800.00 to \$6,000.00	\$1,800.00 to \$1,970.00	\$2,059.46 to \$2,306.44	\$1,601.00 to \$2,154.00
URN GRAVES	\$595.00	\$409.00	\$447.62 to \$502.74	\$340.00
NICHES	\$1,600.00	\$700.00 to \$1,300.00	\$1,196.00 to \$1,556.00	\$1,017.00 to \$1,068.00
GRAVE OPENINGS 6 FT.	\$500.00	\$500.00 with container \$954.00 without container	\$531.17	\$510.00
8 FT.	\$672.00	\$600.00 with container \$1,054.00 without container	\$662.45	\$686.00
URN OPENINGS	\$171.20	\$160.00	\$177.43	\$166.00
NICHE OPENING	\$171.20	\$160.00	included in niche sale	113.00
MARKER INSTALLATION	\$0.28 per sq. inch	70.00 to \$145.00	\$91.17 to \$111.83	\$81.00 to \$124.00

Appendix "F" as referred to in
Section 16 of the Fifteenth Report
of the Parks and Recreation
Committee for 1996



REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **NINETEENTH** Report for 1996 and respectfully recommends:

1. A. (a) That approval be given to Subdivision Application 96-03 (Regional File No. 25T-96006), **1099689 Ontario Inc. (Micor Developments)**, owner, to establish a draft plan of subdivision "Bayview Glen Estates - Phase II", for lands located south of Kordun Street and west of Upper Paradise Road, comprising of 73 lots for single detached dwellings, a block for parkland, and to establish 5 local streets, subject to the following conditions:
 - (i) That this approval apply to the plan, as revised in red, prepared by Wellington Consultants and certified by S.D. McLaren, O.L.S., dated August 30, 1996, showing 73 lots for single detached dwellings, and to establish 5 local streets (see attached APPENDIX "A");
 - (ii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth;
 - (iii) That the Owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan;
 - (iv) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton;
 - (v) That the final plan conform with the Zoning By-law approved under the Planning Act;
 - (vi) That the Owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan;
 - (vii) That the lot lines for Lots 53, 54, and 55 be modified, to the satisfaction of the Manager of Traffic Planning to avoid the potential overlapping of driveways within the road allowance;

- (viii) That the Owner dedicate Block "A" to the City of Hamilton for park purposes;
- (ix) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority;
- (x) That the Owner provide fencing along the westerly limits of Lots 36 - 39 inclusive and Lots 50 to 53 inclusive adjacent to the Tiffany Creek Environmentally Sensitive Area and along the southerly limits of Lots 53 - 58 inclusive adjacent to Block "A", that being the future neighbourhood park;
- (xi) That the owner convey all lands required by the Regional Environment Department for drainage and stormwater management purposes to the City of Hamilton by deed.
- (xii) That the owner show 0.30m reserves at the east limit of Street "B" and the south limit of Street "D" as separate Blocks on the Final Plan, to be conveyed to the City by deed.
- (xiii) That Street "A" must align centreline to centreline with Juliebeth Drive, as established by Plan 62M-517
- (xiv) That Lots 63 to 73 inclusive not be developed until the adjacent lands to the south are registered or alternatively, the owner acquire the necessary lands to establish and construct the adjacent road to its full width.
- (xv) That the curvilinear road pattern as provided in the Approved Falkirk West Neighbourhood Plan be established to the satisfaction of the Regional Roads Department and the City of Hamilton Public Works and Traffic Department.
- (xvi) That 9m radius transitions into and out of the 15m radius cul-de-sacs be established on the Final Plan of Subdivision.
- (xvii) That the road allowance of Street "B" be shown as 20.0m on the Final Plan of Subdivision.
- (xviii) That the stormwater management facility be established prior to development of any portion of these lands, known as "Bayview Glen Estates - Phase 2"

- (xix) That the owner submit a report to the satisfaction of the Regional Environment Department outlining the size, location, timing and cost of the proposed stormwater management facility, prior to development of any of these lands.
- (xx) That the owner acquire the necessary lands and construct the stormwater management facility, or enter into an agreement with the benefitting owner of the adjacent lands to the south ("Paradise Green"), addressing a cost-sharing arrangement and outlining details with respect to timing and construction, prior to registration of the Final Plan for "Bayview Glen Estates - Phase 2".
- (xxi) That the owner submit a sediment and erosion control plan to the satisfaction of the Regional Environment Department and that sediment and erosion control methods be maintained during the development of the subject lands. The said plan must comply with the following requirements:
 - (1) That all erosion and sediment control measures be installed prior to development, and maintained throughout the construction process, until all disturbed areas have been revegetated;
 - (2) That the owner provide a summary inspection report every 14 days, prepared by a qualified professional engineer, outlining the status of all erosion and sediment control measures after each rainfall, including remedial measures taken, to the satisfaction of the Regional Environment Department;
 - (3) That any disturbed area not scheduled for further construction within 45 days be provided with a suitable temporary mulch and seed cover within 7 days of the completion of that particular phase of construction; and,
 - (4) That all disturbed areas be revegetated with permanent cover immediately following completion of construction.
- (xxii) That the proposed stormwater management facility be maintained by the owner up to and including one (1) year after the final building has been constructed, prior to being owned outright by the City.

- (xxiii) That the owner be required to enter into a subdivision agreement with the City of Hamilton prior to the development of any portion of these lands to satisfy all requirements, financial or otherwise of the City of Hamilton.
 - (xxiv) That a public street be established and constructed to Upper Paradise Road through lands to the east and south of this plan of subdivision, prior to the development of these lands, to the satisfaction of the Commissioner of Environment.
 - (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-96006), 1099689 Ontario Inc. (Micor Developments), owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council;
 - (c) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision.
- B. That approval be given to amended Zoning Application ZAC-96-13, 1099689 Ontario Inc. (Micor Developments), owner, for a change in zoning from "AA" (Agricultural) District to "C"- 'H' (Urban Protected Residential, etc. - Holding) District for lands located south of Kordun Street and west of Upper Paradise Road, as shown on the attached map marked as APPENDIX "B", on the following basis:
- (a) That the subject lands be rezoned from "AA" (Agricultural) District to "C"- 'H' (Urban Protected Residential, etc. - Holding) District;
 - (b) That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol 'H' as a suffix to the proposed Zoning District. The holding provision will prohibit the development of the subject lands until such time as the availability of all such municipal services servicing the subject lands as the City deems necessary to service the proposed development.
- City Council may remove the 'H' symbol, and thereby give effect to the "C" District, provisions as stipulated in the By-law by enactment of an amending By-law once the condition is fulfilled;

- (c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S - 1372, and that the subject lands on Zoning District Map W-9B be notated S - 1372;
 - (d) That the Director of the Planning and Development Department be directed to prepare a By-law in a form satisfactory to the City Solicitor to amend Zoning By-law No. 6593 and Zoning District Maps E-38C and E-38D for presentation to City Council; and,
 - (e) That the proposed changes in zoning are in conformity with the Official Plan for the Hamilton Planning Area.
2. That approval be given to amended City Initiative 96-I respecting the elimination of the parking requirement for residential uses for the area bounded by Cannon Street, Queen Street, Hunter Street, Walnut Street, Jackson Street, Ferguson Avenue, Main Street, Wellington Street, Rebecca Street and Mary Street, as shown on the attached map marked as APPENDIX "C", for a period not to exceed three years, on the following basis:
- (a) That the regulations as contained in Section 18A - PARKING AND LOADING REQUIREMENTS of Zoning by-law No. 6593, be modified to eliminate the parking requirement for residential uses, for the area bounded by Cannon Street, Queen Street, Hunter Street, Walnut Street, Jackson Street, Ferguson Avenue, Main Street, Wellington Street, Rebecca Street and Mary Street for a three year period, as follows:
 - (i) that Zoning By-law No. 6593 be amended by including a new Schedule "K" - Downtown Residential Parking Area;
 - (ii) that Zoning By-law No. 6593 be amended by adding a new Section 18A.(42) as follows:

"Except for residential care facilities and short term care facilities, where residential uses mentioned in paragraph 1 of Table 1 and Table 3 are located in the area shown on Schedule "K", no parking and loading will be required for the period between November 1, 1996 and September 1, 1999."
 - (b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 for presentation to City Council; and,
 - (c) That the proposed modification in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

3. (a) That the property on the corner of Ray Street and Jackson Street West owned by the Players' Guild of Hamilton Inc. be recognized as a sesquicentennial gift to the Hamilton community;
- (b) That the City endorse the donation of the property to Hamilton Habitat for Humanity and support development of the site for a single family dwelling.
4. (a) That the 1997 operating budget for the International Village B.I.A. (attached as APPENDIX "D") be approved in the amount of fifty-three thousand, five hundred dollars (\$53,500.); and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 1997 budget as reference in (a) above; and,
- (c) That the following schedule of payments for 1997 be approved:

January 01	\$26,750.
September 01	\$26,750.

NOTE: 1996 levy arrears will be deducted from the payments for 1997.

5. (a) That the 1997 operating budget for the Downtown Hamilton B.I.A. (attached as APPENDIX "E") be approved in the amount of eighty-four thousand dollars (\$84,000.); and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 1997 budget as referenced in (a) above; and,
- (c) That the following schedule of payments for 1997 be approved:

January 01	\$21,000.
March 01	\$21,000.
June 01	\$21,000.
September 01	\$21,000.

NOTE: 1996 levy arrears will be deducted from the payments for 1997.

6. (a) That the 1997 operating budget for the Barton General B.I.A. (attached as APPENDIX "F") be approved in the amount of eight thousand, seven hundred and sixty dollars (\$8,760.); and,
- (b) That the City Treasurer by hereby authorized and directed to prepare the requisite by-law pursuant to Section 220, The Municipal Act, R.S.O. 1990, to levy the 1997 budget as reference in (a) above; and,

- (c) That the following schedule of payments for 1997 be approved:

January 01	\$2,190.
March 01	\$2,190.
June 01	\$2,190.
September 01	\$2,190.

NOTE: 1996 levy arrears will be deducted from the payments for 1997.

7. (a) That the 1997 operating budget of the Main Street West Esplanade B.I.A. (attached as APPENDIX "G") be approved in the amount of \$10,000; and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1997 budget as referenced in (a) above; and,
- (c) That the following Schedule of Payments for 1997 be approved:

January 01	\$2,500.
March 01	\$2,500.
June 01	\$2,500.
September 01	\$2,500.

NOTE: 1996 levy arrears will be deducted from the payments for 1997

8. (a) That the 1997 operating budget of the Westdale Village B.I.A. (attached as APPENDIX "H") be approved in the amount of \$35,000; and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1997 budget as referenced in (a) above; and,
- (c) That the following Schedule of Payments for 1997 be approved:

January 01	\$11,000.
March 01	\$ 8,000.
June 01	\$ 8,000.
September 01	\$ 8,000.

NOTE: 1996 Levy arrears will be deducted from the payments for 1997

9. (a) That the 1997 operating budget of the Ottawa Street B.I.A. (attached as APPENDIX "I") be approved in the amount of \$50,000.; and,

(b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1997 budget as referenced in (a) above; and,

(c) That the following Schedule of Payments for 1997 be approved:

January 15	\$12,500.
March 15	\$12,500.
June 15	\$12,500.
September 15	\$12,500.

NOTE: 1996 Levy arrears will be deducted from the payments for 1997.

10. (a) That Schedule "B" By-law No. 95-046, appointing the Downtown Hamilton B.I.A. Board of Management be repealed and the following names substituted:

SCHEDULE "B"

J. Livingston	Livingston Furs
R. Harris	Harris and Henderson
C. Jamieson	The Right House
A. Peckham	The Royal Bank
H. Woods	Canadian Imperial Bank of Commerce
K. Findlay	KD Findlay
G. Attard	The Ramada Hotel,
D. Bocker	Royal Connaught Howard Johnson Hotel
P. Pappas	Joe Buddinski's
R. Titian	Reggie's Music and Sound
R. Letourneau	Just Imagine Printing

(b) That the City Solicitor be authorized and directed to amend Schedule "B" of By-law No. 95-046.

11. (a) That Schedule "B" of By-law No. 95-044, appointing the Barton General B.I.A. Board of Management be repealed and the following names substituted:

SCHEDULE "B"

K. Cody	Codys Home Decor Inc.
M. Tollis	The Riviera Banquet Centre
J. Hilger	Ways to Wisdom
K. Jokic	Bank of Montreal

(b) That the City Solicitor be authorized and directed to amend Schedule "B" of By-law No. 95-044 pursuant to (a) above.

12. (a) That Schedule "B" of By-law No. 95-041, appointing the International Village B.I.A. Board of Management be repealed and the following names substituted:

SCHEDULE "B"

Wolfgang Schoen	The Black Forest Inn
Gord Thompson	Thompson Jewellery and Pawn
John Kenyon	Payne Music
Paul Kircos	Alexanian Carpets

- (b) That the City Solicitor be authorized and directed to amend Schedule "B" of By-law No. 95-041 pursuant to (a) above.

13. (a) That Schedule "B" of By-law No. 95-043, appointing the Main Street West Esplanade B.I.A. Board of Management, be repealed and the following names substituted:

SCHEDULE "B"

Karen Mullholland	Taco Bell
Izabela Kobylanski	Izzy's Restaurants
M. Farrugia	Calla Decor and Design
A. Perniac	Lorne Haverty Ltd
J. Castellano	Castellano Real Estate
J. Morrison	Royal Bank
M. Barnard	Barnard & Speziale Design Associates Inc.

- (b) That the City Solicitor be authorized and directed to amend Schedule "B" of By-law No. 95-043, and replace it pursuant to (a) above.

14. That a Hamilton Emergency Loan (H.E.L.P.) in the amount of two thousand dollars (\$2,000) be approved for Joseph Kennedy, 869 Queensdale Avenue East, Hamilton. The interest rate will be 8 per cent amortized over 5 years.
15. That the Building Commissioner be authorized to issue a demolition permit for 1508 Upper James Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
16. That the Building Commissioner be authorized to issue a demolition permit for 1514 Upper James Street in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
17. That the total outstanding Hamilton Emergency Loan Program for Frank Zavarella, 118 Balmoral Avenue South, Hamilton, in the amount of one thousand, six hundred and ninety-four and sixty cents (\$1,694.60) be placed on the tax rolls.

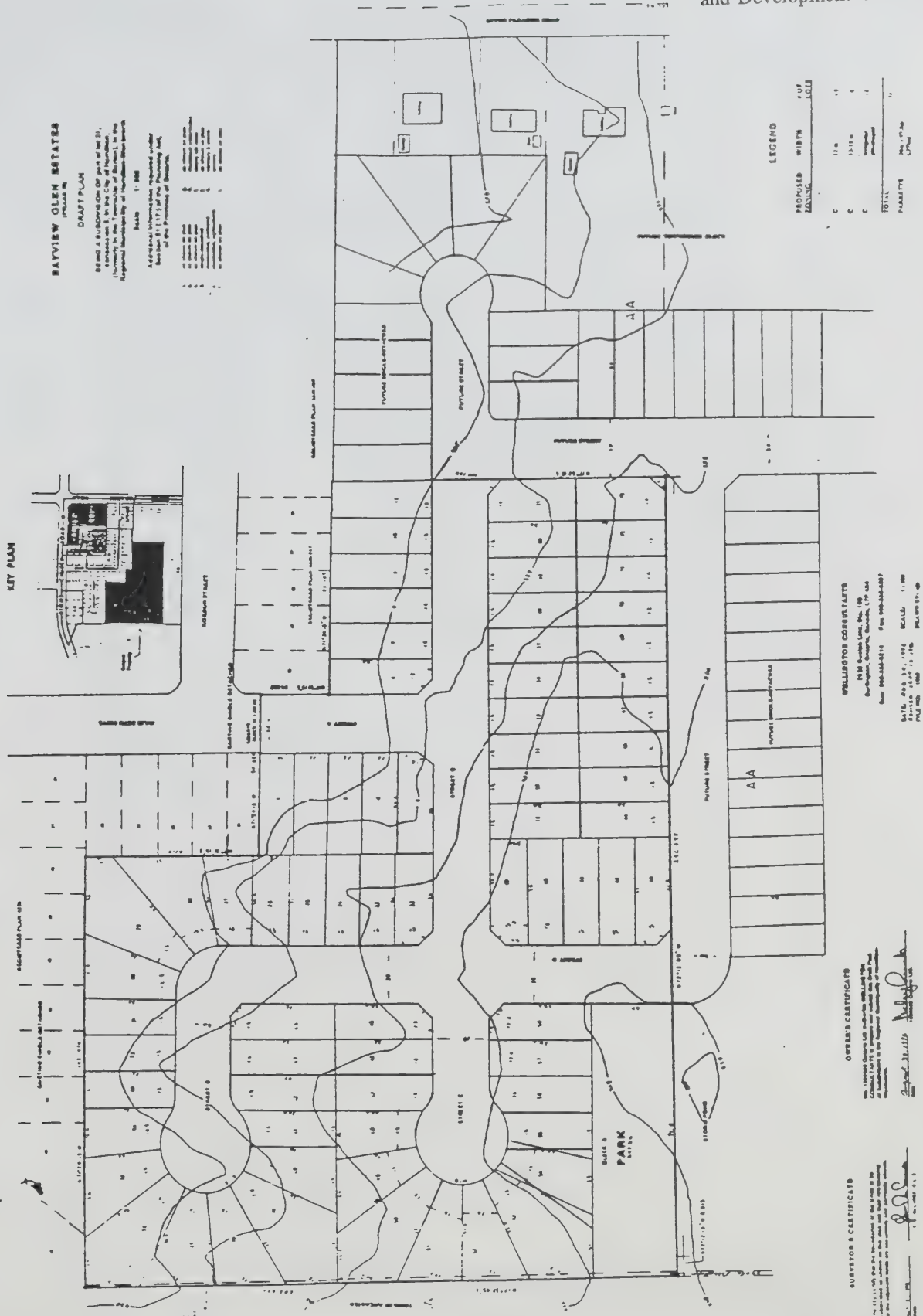
18. That the total outstanding Hamilton Emergency Loan Program for Lisa Blawatt, 37 Burlington Street East, in the amount of one thousand, three hundred and seventy-eight dollars and seventy-one cents (\$1,378.71) be placed on the tax rolls.
19. That the total outstanding Commercial Property Improvement Loan Program for Daniel R. Logan and Lauchlin D. Cameron, 489 Concession Street, in the amount of five thousand and sixty-nine dollars and sixty-four cents (\$5,069.64) be placed on the tax rolls.
20. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) C-67 A By-law to Amend By-law No. 86-144 Respecting Members of the Board of Management of the Concession Street business Improvement Area.
 - (b) C-68 A By-law to Amend By-law No. 86-99 As Amended by By-laws No.92-056 and 95-045 Respecting Members of the Board of Management of the Ottawa Street North Business Improvement Area.

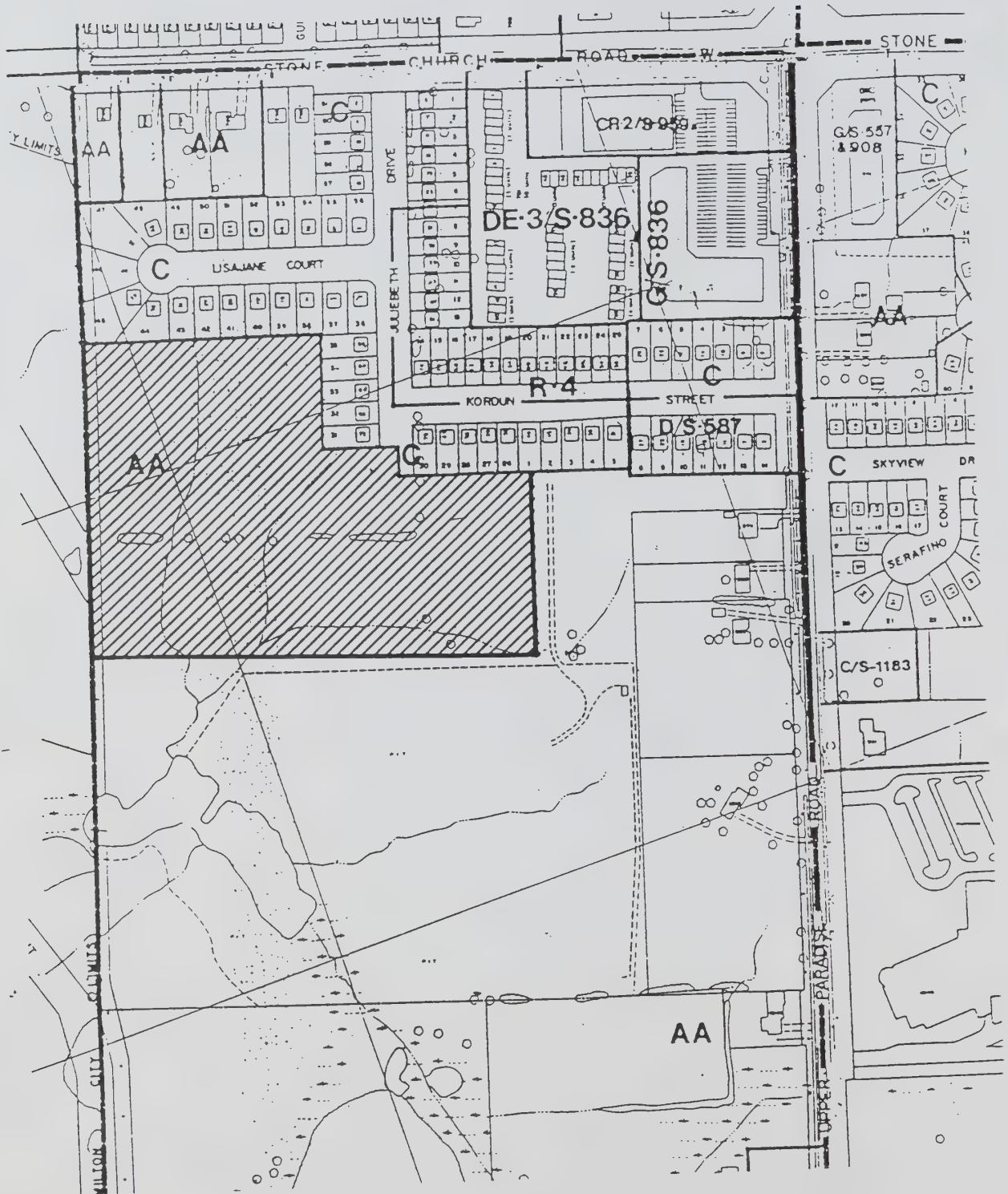
Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

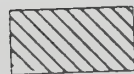
**Tina Agnello, Secretary
1996 November 20**

Appendix "A" referred to in
Section 1. A. (a) (i) of the
NINETEENTH Report of the Planning
and Development Committee for 1996.





Legend

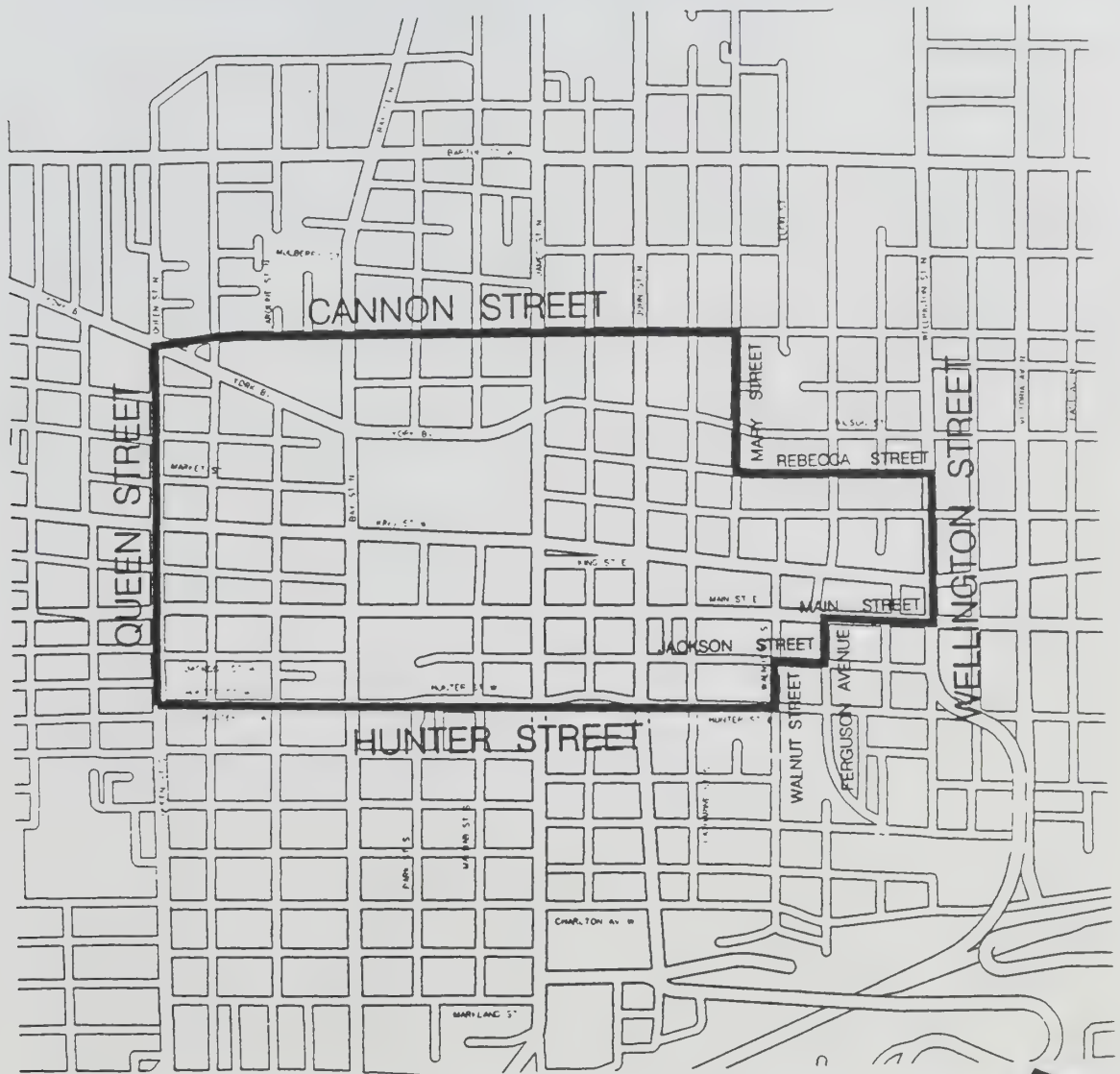


Site of the Application


 ZAC-96-13
 SAC-96-02

Schedule 'K' to Zoning By-Law No.6593

Residential Parking in the Downtown



AREA A

Proposed "0" Parking Area for Residential Development

Appendix "C" referred to in
Section 2. of the **NINETEENTH**
Report of the Planning and Development
Committee for 1996.

INTERNATIONAL VILLAGE B.I.A.'S 1997 OPERATING BUDGET

OPERATIONS:

Rent	\$2,000.
Utilities	\$1,900.
Telephone	\$1,000.
Office Supplies, Office Equipment	\$1,500.
Bank Charges	<u>\$ 400.</u>
	\$6,800.

WAGES:

Executive Director	\$20,000.
	<u>\$ 3,000.</u>
	\$23,000.
Insurance	\$ 1,300.
Audit	\$ 400.
Print/Radio Advertising	\$ 3,500.
Promotion	<u>\$ 4,500.</u>
	\$ 9,700.
Allowance for Uncollected Levies	\$14,000.

TOTAL	<u>\$53,500.</u>
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**DOWNTOWN HAMILTON B.I.A.
1997 BUDGET**

Management Fees	\$25,000.
Promotions/Special Events	\$16,000.
Beautification	\$ 5,000.
Administration	\$20,000.
Reserve	\$18,000.
TOTAL	\$84,000.

BARTON GENERAL B.I.A.
1997 OPERATING BUDGET

EXPENSES	AMOUNT
Wages	\$3,400.
Rent	\$2,200.
Phone/photocopier/fax	\$ 250.
Office supplies/postage	\$ 50.
Insurance	\$ 810.
Hall Rental/Dinners	\$ 750.
Contingency Fund	\$ 300.
Advertising	\$1,000.
TOTAL	<u>\$8,760.</u>

MAIN STREET WEST ESPLANADE

CHRISTMAS ORNAMENTS	\$1,800.
BARRIERS	\$ 250.
HYDRO	\$1,300.
MEETINGS	\$ 400.
EXPENSES TO BE INCURRED FOR MAIN ST. WEST FROM LOCKE TO DUNDURN (ABOVE NOTED EXPENSES TO INCREASE AND PURCHASE CHRISTMAS ORNAMENTS, LIGHTING	\$6,250.
TOTAL	----- \$10,000.

WESTDALE VILLAGE B.I.A.**Proposed Budget 1997****\$35,000**

Uncollectible levies	\$5,000.00
Fixed Expenses	\$15,000.00
Audit fees, Director's insurance, comprehensive insurance, fax & copy charges, Board Meeting meals, beautification, office supplies, office space, staff, phone, miscellaneous.	
Marketing & Advertising	\$15,000.00

	\$35,000.00

THE FOLLOWING INFORMATION WAS ADOPTED BY WESTDALE VILLAGE BIA WITH RESPECT TO THE EXPENDITURE OF THE \$35,000. TO BE APPROVED ACCORDING TO THE FOLLOWING DISCRETIONARY SPENDING POLICY:

0-\$25.99 MAY BE SPENT WITHOUT BOARD OF MANAGEMENT APPROVAL. DETAILED INVOICES/RECEIPTS MUST BE SUBMITTED TO THE TREASURER.

\$26.00-\$999.99 MAY BE SPENT WITH 5 BOARD DIRECTORS SIGNATURES MANDATORY ON THE PURCHASE ORDER BEFORE A CHEQUE IS ISSUED.

\$1000.00-\$4999.99 AT THE WILL OF THE BOARD OF MANAGEMENT, THIS AMOUNT OF MONEY MAY BE SENT ACCORDING TO THE GUIDELINES FOR THE \$26.00-\$999.99 CATEGORY OR THE BOARD OF MANAGEMENT MAY SEND THE REQUEST TO A COMMITTEE REQUESTING A DETAILED PLAN TO BE SUBMITTED AND APPROVED.

\$5,000.00 AND OVER, A DETAILED BUDGET AND PLAN MUST BE PRESENTED TO THE BOARD AT LEAST 6 MONTHS PRIOR TO THE EVENT.

* NOTE: ALL COMMITTEES MUST HAVE AT LEAST ONE BOARD MEMBER WHO IS RESPONSIBLE TO PRESENT THE PROPOSAL AT THE BOARD MEETING.

OTTAWA STREET B.I.A.
PROPOSED BUDGET 1997

<u>ADVERTISING</u>	
CHRISTMAS & SUMMER FEST	\$15,300.
<u>OFFICE EXPENSES</u>	
ADMINISTRATION	\$ 1,200.
PRINTING	\$ 2,500.
RENT	\$ 1,200.
TELEPHONE	\$ 1,000.
UTILITIES	\$ 800.
OFFICE COORDINATOR	\$15,000.
UNPAID LEVIES (CONTINGENCY FUNDS)	\$13,000.
TOTAL BUDGET FOR 1997	<u>\$50,000.</u>

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **NINETEENTH** Report for 1996 and respectfully recommends:

1. That the listing of Appointments to Permanent positions with the Corporation of the City of Hamilton to 1996 November 8, attached herewith and marked Appendix "A", be approved.
2.
 - (a) That City Council consent to the merger of Union Gas Limited and Centra Gas Ontario Inc; and,
 - (b) That the City Solicitor be authorized to prepare a By-law to consent to the merger of Union Gas Limited and Centra Gas Ontario Inc.
3.
 - (a) That the following property be declared surplus to the requirements of the City of Hamilton in accordance with the Realty Sales Procedural By-law 95-049:

1504 Upper Gage (Part 5 on Plan 62R-9436)
 - (b) That the Property Department be authorized to proceed to sell this property in accordance with the Realty Sales Procedural By-law.
4. That Regional Council be requested to continue the cash flow of capital grant funding approved by Regional Council in 1985 and 1990 to the five area hospitals for major construction projects only on the provision that these hospitals continue to be viable and working hospital facilities.
5.
 - (a) That the newly created contract and part-time positions of Cook, Coach House Host/Hostess, Kitchen Helper, Senior Server and Server(s) be approved; and,
 - (b) That the City Solicitor be authorized to negotiate two employment contracts for the Cook and Coach House Host/Hostess positions for the consideration of the Finance and Administration Committee.

6. That the contract for Market Stand Numbers 1/2 of 42, all of 43 and 1/2 of 44, be cancelled effective 1996 November 30, for non-payment of rent.
7. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) D-59 A By-law to Amend By-law No. 92-174 respecting: Transfer of Debenture Proceeds.
 - (b) D-60 A By-law to Consent to: The Amalgamation of Union Gas Limited and Centra Gas Ontario Inc.
 - (c) D-61 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

**Susan K. Reeder
Secretary
1996 November 19**

Appendix "A" referred
to in Section 1 of the
NINETEENTH Report of
the Finance and
Administration
Committee for 1996.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Bradley Carey	I	Greenskeeper II	Historical - Outdrsports	Replacing Mr. F. Okos - resigned, Sept. 12/96	\$36,686.56	Oct. 18/96
Mr. Don Dilks	I	Sports Groundskeeper I	Historical - Outdrsports	Replacing Mr. F. Rolfe - resigned, Oct. 11/95	\$36,052.64	Oct. 07/96

Prepared November 08, 1996

Status ~
Internal ~ I
External ~ E

1996 November 26

REPORT OF THE NOMINATING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Nominating Committee presents its SEVENTH Report for 1996 and respectfully recommends:

1. That the following Members of Council be appointed to the Committee of Adjustment for a term to expire 1997 November 30:

2. That the following Members of Council be appointed to the Selection Committee for a term to expire 1997 November 30:

3. That Alderman _____ be appointed Chairman of the Committee of the Whole for the period of 1996 December and 1997 January and February.

RESPECTFULLY SUBMITTED

**MAYOR R. M. MORROW
CHAIRMAN,
NOMINATING COMMITTEE**

J.J. Schatz, Secretary
1996 November 26

**NOTICES OF MOTION
FROM PREVIOUS MEETING**

NOTICE OF MOTION
Re: Memorandum of Negotiations

Alderman Fred Eisenberger gave notice that he would move at the next meeting of City Council the following:

"That Hamilton City Council endorse and approve the final "Memorandum of Negotiations", conducted with Gardner Church and agreed upon by the Negotiating Teams representing the City of Hamilton, the City of Stoney Creek, the Town of Ancaster and the Township of Glanbrook."

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1996 NOVEMBER 26
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

By-law No. 86-144

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE CONCESSION STREET BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-144, passed on the 29th day of April 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 83-308, passed on the 30th day of November 1983, and established by By-law No. 84-38, passed on the 14th day of February 1984, known as the "Concession Street Business Improvement Area", more particularly described in By-law No. 83-308, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 95-047, passed on the 14th day of February 1995, amended By-law No. 86-144 to vary the composition of the Board of Management and to provide for certain editorial amendments relating thereto;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 8 of the 14th Report of the Planning and Development Committee at its meeting held on the 24th day of September 1996, directed that the composition of the Board of Management be amended in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in section 2.(b) of By-law No. 86-144, as amended, is repealed in its entirety and the following substituted therefor:

Betty Toplack	Mountain Book Store
Ray Devries	Ford Associates
Roger Burroughs	Camtech
John Woolcott	Woolcott's Shoes
Debbi Johnson	Why Pay More
Paul Wharton	Wharton's Copy Print & More

2. In all other respects, By-law No. 86-144, as amended, is hereby confirmed, unchanged.

PASSED this day of

A.D. 1996

CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

By-law No. 86-99

As Amended by By-laws No. 92-056 and 95-045

Respecting:

**MEMBERS OF THE BOARD OF MANAGEMENT OF
THE OTTAWA STREET NORTH BUSINESS IMPROVEMENT AREA**

WHEREAS By-law No. 86-99, passed on the 11th day of March 1986, provided for a Board of Management of the Improvement Area designated by By-law No. 86-31, passed on the 10th day of December 1985, known as the "Ottawa Street Business Improvement Area", more particularly described in By-law No. 86-31, all in accordance with subsections 217(1) and 217(6) of the Municipal Act, R.S.O. 1980, Chapter 302;

AND WHEREAS By-law No. 92-056, passed on the 11th day of February 1992, varied the composition of the Board of Management and provided for an editorial amendment to By-law No. 86-99;

AND WHEREAS By-law No. 95-045, passed on the 14th day of February 1995, varied the composition of the Board of Management;

AND WHEREAS it is expedient to repeal By-law No. 95-045;

AND WHEREAS the Council of The Corporation of the City of Hamilton in adopting Item 8 of the 17th Report of the Planning and Development Committee at its meeting held on the 29th day of October 1996, directed that the composition of the Board of Management be further varied, in accordance with the provisions of Section 220 of the Municipal Act, R.S.O. 1990, as hereinafter provided;

AND WHEREAS it is intended to further vary the composition of the Board of Management.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" referred to in clause 2(b) of By-law No. 86-99, as amended, is repealed and the following substituted therefor:

Gord Culshaw
Mary Keir
John Gut
Tony Bifano
Greta Munt
Rosemary Young
Daniel Kwiatkowski

Culshaw Cakes
Surplus Plus
Textile Centre
Anton Video
Greta's Flair
Wentworth Paints
Beach Road Meats

2. By-law No. 95-045 is hereby repealed in its entirety.

3. In all other respects, By-law No. 86-99, as amended, is hereby confirmed, unchanged.

PASSED this day of

A.D. 1996

CITY CLERK

MAYOR

(1996) 17 R.P.D.C. 8, October 29

SCHEDULE "A"

<u>Description</u>	<u>Account Centre Number</u>	<u>O.M.B. No. & Date</u>	<u>City By-Law Number</u>	<u>Excess Debenture Proceeds</u>
Major Maintenance to Civic Buildings	CF 319441005	N/A	94-095	\$ 4,086.36
Major Maintenance to Civic Buildings	CF 319541001	N/A	95-090/95-227	9,126.00
Farmer's Market Replacement of Roof	CF 319441012	N/A	94-095	1,081.86
Scott Parka Arena - Replacement of Roof	CF 319441008	N/A	94-095	1,376.99
Westmount & Mountain Arena - Boiler Replacement	CF 319441009	N/A	94-095	1,598.00
Copps Coliseum - Steam To Hot Water Conversion	CF 319441013	N/A	94-095	2,116.64
Parkdale Arena	CF 709441023	N/A	95-228	228,805.00
Inch Park Arena	CF 709441024	N/A	95-228	228,805.00
Ivor Wynne Stadium Improvements (Infrastructure)	CF 809453007	N/A	94-135	4,785.02
1994 Roads & Sidewalks Reconstruction Program - Local Roads	CF 529442001	N/A	94-095	\$ 54,332.00
Waterfront Park Washrooms	CF 419454014	N/A	94-123	46,453.09
Enclave Clearance Program	CF 308750001	E 871041 09-Dec-87	88-32	<u>310,000.00</u>
				<u>\$892,565.96</u>

The Corporation of the City of Hamilton

By-law No. 96-

To Consent to:

**THE AMALGAMATION OF UNION GAS LIMITED
AND CENTRA GAS ONTARIO INC.**

WHEREAS by By-law No. 400, passed on the 26th day of September A.D. 1904, Ontario Pipe Line Company Limited, its successors and assigns were granted the right to lay down, maintain and use pipes and other necessary works in the streets, alleys and public grounds, for the transportation and supply of gas to the inhabitants thereof for fuel, heating and lighting purposes;

AND WHEREAS By-law No. 400 aforesaid was amended by By-law No. 443, passed on the 13th day of March, 1905 and further amended by By-law No. 2590 passed on the 29th day of November, 1921, and further amended by By-law No. 4168, passed on the 26th day of March, 1931 and further amended by By-law No. 4936, passed on the 4th day of August, 1938 and further amended by By-law No. 8028, passed on the 30th day of April, 1957;

AND WHEREAS the name of Ontario Pipe Line Company Limited was changed to United Gas and Fuel Company of Hamilton Limited in 1913;

AND WHEREAS the name of United Gas and Fuel Company of Hamilton Limited was changed to United Gas Limited in 1958;

AND WHEREAS United Gas Limited merged with Union Gas Limited in 1973;

AND WHEREAS Section 24 of By-law No. 400 provides (inter alia) that the Company shall not amalgamate or combine with any other company or person or sell out or transfer to any other company or person its rights or property or its gas supply in the City of Hamilton without the consent by by-law of the City Corporation;

AND WHEREAS Union Gas Limited has applied to The Corporation of the City of Hamilton for consent to amalgamate or combine with Centra Gas Ontario Inc.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. The consent of The Corporation of the City of Hamilton is hereby given to Union Gas Limited to amalgamate or combine with Centra Gas Ontario Inc. within the meaning of Section 24 of By-law No. 400 of The Corporation of the City of Hamilton.
2. The amalgamated, combined or merged Company shall be bound by all the terms, conditions and obligations of By-law No. 400.

PASSED this day of , 1996.

CITY CLERK

MAYOR

BY-LAW NO. 96 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 26TH DAY OF NOVEMBER A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 26th day of November A.D. 1996

CITY CLERK

MAYOR

URBAN\MUNICIPAL
CAY ON HBL A05
A31
1996

1996 December 6



The Urban/Municipal Collection
2nd Floor
Hamilton Public Library
+ Bill

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON** **URBAN MUNICIPAL**

**Tuesday, 1996 December 10
7:30 o'clock p.m.
Council Chambers, City Hall**

DEC 6 1996

GOVERNMENT DOCUMENTS

**J. J. Schatz
City Clerk**

A G E N D A

1. **National Anthem: Sung by Centennial Public School choir
"We Stand Together in Hamilton" 'Sandra Easterbrook - Music Teacher**
2. **Opening Prayer:**

**Rev. Doctor John A. Johnston
Minister Emeritus of MacNab Presbyterian Church**
3. **Presentations:**
 - (a) **Sandra Easterbrook of Centennial Public School, Music Teacher, to present a tape to Mayor Morrow "We Stand Together in Hamilton" a special sesqui song**
 - (b) **General Richard Rohmer to present a picture of the Hamilton Tiger Lacrosse Team Association to the Copps Coliseum Sports Hall of Fame.**
 - (d) **1996 HAMILTON ARTS AWARD - Robert Mason**
 - (e) **CERTIFICATES OF RECOGNITION - Brenda Connell, Nominee
- Candace Mallot, Nominee**
4. **Adoption of the minutes of the meeting held November 26, 1996.**
5. **Correspondence\Petitions**

6. *Reports of the Standing Committees:*

- (a) Transport and Environment Committee*
- (b) Parks and Recreation Committee*
- (c) Planning and Development Committee*
- (d) Finance and Administration Committee*

7. *Motion tabled from November 26 meeting RE: Local Government Restructuring*

8. *Notices of Motion for next meeting.*

9. *Question Period.*

10. *Adjournment.*

MINUTES

Minutes of Hamilton City Council
Tuesday, 1996 November 26
7:30 o'clock p.m.
Council Chamber, City Hall

The Council met:

Present: Mayor Morrow.
Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson,
Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross.

Mayor Morrow called the meeting to order.

* * * * *

The National Anthem was played.

* * * * *

Pastor Ron Sikkema, First Reformed Church led Council in prayer.

ADOPTION OF MINUTES

The minutes of the meetings held:

- (a) 1996 November 12 (regular meeting) and,
- (b) 1996 November 19 (special meeting) were adopted as circulated.

PRESENTATIONS

Mayor R. Morrow presented framed photographs showing the redeveloped Mountain Drive Park to Mr. Pielechaty, Mr. Bud Kennish and Mr. Willem Van der Beek in acknowledgement of their financial contribution to this project.

* * * * *

Mayor R. Morrow was presented with "The Automated Image" poster by Mr. Mansaram.

CORRESPONDENCE

1. Letter dated 1996 November 8 from Brian K. Nixon, Director, Ministry of Environment and Energy respecting Amendment Number 101 to the Niagara Escarpment Plan.

Referred to the Planning and Development Committee

2. Letter dated 1996 November 7 from Ms. Susan L. Steele, Town Clerk for the Corporation of the Town of Dundas respecting St. Joseph's Villa Day Care Program - Financial Support.

Referred to the Finance and Administration Committee

* * * * *

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Reports of the the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, and the Committee of the Whole Report be considered in Committee of the Whole with Alderman Anderson in the chair.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0.

CARRIED.

PARKS AND RECREATION COMMITTEE - FIFTEENTH REPORT

Section 16 Re: Bayfront and Pier 4 Parks Plan - Development Concept #2

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -16

NAYS: Alderman Morelli. -1.

CARRIED.

PLANNING & DEVELOPMENT COMMITTEE - NINETEENTH REPORT

Section 1 Re: Subdivision Application 96-02 - Kordun Street and Upper Paradise Rd

It was moved by Alderman D'Amico and seconded by Alderman Merling that Section 1(A) (a) (xxiv) of the Nineteenth Report of the Planning and Development Committee for 1996 be amended by deleting Sub-section A(a)(xxiv) and replacing it with the following:

"That a construction access road be established and constructed to Upper Paradise Road through lands to the east and/or south of this plan of subdivision prior to the development of these lands, to the satisfaction of the Commissioner of Environment."

CARRIED.

* * * * *

Section 2 Re: City Initiative 96-I respecting elimination of the parking requirement

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, Drury, Morelli, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -15.

NAYS: Aldermen McCulloch, Copps. -2

CARRIED.

FINANCE & ADMINISTRATION COMMITTEE - NINETEENTH REPORT

NOMINATING COMMITTEE - SEVENTH REPORT

COMMITTEE OF THE WHOLE - EIGHTH REPORT

ACTING MAYOR FOR THE MONTH OF DECEMBER, 1996

It was moved by Alderman Caplan and seconded by Alderman Copps that Alderman M. Kiss be appointed Acting Mayor for the month of December, 1996. **CARRIED.**

NOTICE OF MOTION FROM PREVIOUS MEETING

November 12, 1996

It was moved by Alderman Eisenberger and seconded by Alderman Wilson that Hamilton City Council endorse and approve the final "Memorandum of Negotiations", conducted with Gardner Church and agreed upon by the Negotiating Teams representing the City of Hamilton, the City of Stoney Creek, the Town of Ancaster and the Township of Glanbrook.

* * * * *

It was moved by Alderman Jackson and seconded by Alderman Morelli that the Notice of Motion of Alderman F. Eisenberger respecting Local Government Restructuring be tabled to the next regular meeting of City Council on December 10, 1996.

Recorded vote.

YEAS: Aldermen Kiss, Drury, Morelli, Copps, Wilson, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -12.

NAYS: Mayor Morrow, Aldermen Caplan, Agro, McCulloch, Eisenberger, 5. **CARRIED.**

It was moved by Alderman Kiss and seconded by Alderman Caplan that the Report of the Committee of the Whole on the Reports of the Parks and Recreation Committee, the Planning and Development Committee, the Finance and Administration Committee, the Nominating Committee, the Committee of the Whole Report and resolutions be adopted.

Recorded vote.

YEAS: Mayor Morrow, Aldermen Kiss, Caplan, Agro, McCulloch, Drury, Morelli, Copps, Wilson, Eisenberger, Collins, Charters, Jackson, Merling, Anderson, D'Amico, Ross. -17

NAYS: -0. **CARRIED.**

City Council then adjourned at 8:35 o'clock p.m.

Taken as read and approved.

MAYOR R. M. MORROW

J. J. Schatz
1996 November 26
JJS/dg

CORRESPONDENCE

Correspondence:

1. Letter dated 1996 December 4 from George Langadinos, Secretary/Treasurer, Hamilton Wentworth and District Mobile Signs Association Inc., Hamilton, Ontario respecting Mobile Sign Draft By-law Proposal.

Recommendation: Be Received.

2. Letter dated 1996 December 2 from Ms. Susan L. Steele, Town Clerk for the Corporation of the Town of Dundas respecting Local Government in Hamilton-Wentworth. This correspondence was distributed to Members of City Council under separate cover on December 5, 1996).

Recommendation: Be Received.

3. Letter dated 1996 December 3 from W. A. Thomas, General Manager, Hyrdo-Electric Commission of the City of Hamilton respecting a zero average increase in the wholesale cost of power for the year 1997.

Recommendation: Be Received.

4. Application dated 1996 November 28 from 744457 Ontario Limited, o/a Vetrans Taxi respecting a change in zoning from "D" (Urban Protected Residential - One and Two Family, Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District for 488 King William Street, Hamilton, Ontario.

Recommendation: Be Received.



HAMILTON WENTWORTH & DISTRICT MOBILE SIGNS ASSOCIATION INC.

38A Bigwin Rd., Box 55, Hamilton, Ont. L8W 3R4

1

December 4, 1996

The Corporation of the
City of Hamilton
Attention:
Mr. J. J. Schatz, City Clerk
71 Main Street West
Hamilton, Ontario
L8N 3T4

Re: CI-91-I
Mobile sign draft By-law proposal

Dear Sir:

In response to your letter postmarked October 23, 1996 I would like to set the record straight.

As stated in my letter dated October 10, 1996 I have asked to speak on the above matter at the City Council's hearing or Public Hearing and not at the Planning and Development meeting, which you refer to.

As I have been informed, on the tenth of December 1996 the Mobile Sign Draft By-Law Proposal will be brought forward to the City Council for approval. As per my information no public hearing by City Council has taken place with respect to this matter, so therefore once again I ask that my request be brought forward to the City Council, that I ask for the opportunity to speak on the above issue prior to the draft proposal CI-91-I being passed by Council.

Yours truly,

George Langadinos,
Secretary/Treasurer



2

CORPORATION OF THE TOWN OF DUNDAS

OFFICE OF THE
TOWN CLERK

TOWN HALL, 60 MAIN STREET, P.O. BOX 8584, DUNDAS, ONTARIO L9H 5E7
TELEPHONE: (905) 628-6327 FAX: (905) 628-5077

December 2, 1996.

City of Hamilton
71 Main Street,
Hamilton, Ontario.
L8P 1H4

Attention: Mr. J. Schatz, City Clerk

Re: Local Government in Hamilton-Wentworth
Our File C00

Dear Mr. Schatz:

I am writing to you in regard to the above noted matter.

Town Council at its meeting on November 18, 1996 considered the Memorandum of Negotiations concerning local government in Hamilton-Wentworth and subsequently passed Motion #120-96 and Motion #121-96.

I am forwarding for your information copies of the above noted Motions, the Mayor's Reports concerning local government.

Would you please forward this information to your Council.

Yours very truly,

Ms. Susan L. Steele, A.M.C.T.
Town Clerk.

SLS:brs

Encl.

W.A. THOMAS, B. Sc., P. ENG.,
GENERAL MANAGER
TELEPHONE (905) 522-6611
FAX (905) 522-6570



DEC 04 1996

M.G. KWINT, B. ENG., P. ENG.,
A.G.M. - ADMINISTRATION

D.R. MARSALES, B. Sc., P. ENG.,
A.G.M. - CHIEF ENGINEER

D.D. CUMMINGS
SECRETARY-TREASURER

HAMILTON HYDRO-ELECTRIC SYSTEM

55 JOHN STREET NORTH, HAMILTON, ONT. L8N 3E4

December 3rd, 1996

The Council of the Corporation
of the City of Hamilton
City Hall
71 Main Street West
Hamilton, Ontario
L8N 3T4

ATTN: Mr. J. J. Schatz, City Clerk

Dear Members of Council:

Ontario Hydro has committed itself to hold to a zero average increase in the wholesale cost of power to our utility for the year 1997.

At Hamilton Hydro, we have budgeted to keep next year's capital and operating expenses at the 1996 level.

As a result, we will not be seeking Ontario Hydro approval for any increase in the general retail rates charged to our customers for electrical consumption in 1997.

It should be noted that rates were frozen in 1994 and reduced by 1% in 1995 and again in 1996.

Yours truly

W. A. Thomas
General Manager
Hydro-Electric Commission
of the City of Hamilton

WAT*lk

REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Transport and Environment Committee presents its **SIXTEENTH** Report for 1996 and respectfully recommends:

1. (a) That the application to close the north/south (assumed) alleyway from Glenfern Avenue to Amelia Street be approved subject to the following conditions;
 - (i) That the applicants register a reference plan under The Registry Act, the said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, to delineate the manner in which the closed portion is to be distributed among the abutting owners, and that the applicants deposit a reproducible copy of said plan with the Regional Surveyor; and,
 - (ii) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act; and,
 - (iii) That the Director of Property be authorized to proceed with the disposition of the subject lands, save and except a 0.1m reserve along the frontage of Amelia Street, to the abutting owners; and,
 - (iv) That the applicants provide an easement in favour of the Region for the existing 750mm combined sewer in the subject alleyway; and,
 - (v) That the applicants provide an easement in favour of Bell Canada for an existing plant in the subject alleyway; and,
 - (vi) That the owner of No. 139 Glenfern Avenue concurrently dedicate to the City a 0.3m reserve along the frontage of Glenfern Avenue from the alley easterly; and,

- (b) That the application to close the east/west (unassumed) alley from the west limit of the north/south alleyway to approximately 41 feet to the east be approved subject to the following conditions:
 - (i) That the City Solicitor be authorized to make an application to a District Court Judge under Section 82 of The Registry Act, R.S.O. 1980, for an order to stop-up and close the east/west (unassumed) alleyway from the west limit of the north/south alleyway to approximately 41 feet to the east as shown as Part Lots 34 and 35 on Registered Plan No. 275; and,
 - (ii) That the Commissioner of Transportation be directed to sign an affidavit setting out that no public funds have been expended on the alley to be closed; and,
 - (iii) That the documentation regarding the application to the District Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor, and that the applicant be responsible for all fees payable in District Court; and,
 - (iv) That the applicant register a reference plan under The Registry Act, the said plan be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, to delineate the manner in which the closed portion is to be distributed among the abutting owners, and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor; and,
 - (v) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval for the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act; and,
 - (vi) That the Director of Property be authorized to proceed with the disposition of the subject lands; and,
- (c) Provided the Judge's Order to close the highway is granted:
 - (i) That the City Solicitor be directed to prepare a by-law for the sale of the closed highway; and,

- (ii) That the City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act, R.S.O. 1980, of the City's intention to pass the by-law.
- 2. That a "Permit Parking" regulation be implemented on the west side of Tisdale Street South commencing at a point 186 feet north of the east/west leg of Tisdale Street South and extending to a point 14 feet northerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
- 3. That the existing "Wheelchair Loading Zone, 9:00 a.m. to 8:00 p.m., seven days a week" regulation on the east side of Wood Street West commencing at a point 74 feet south of Burlington Street West and extending to a point 24 feet southerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
- 4.
 - (a) That a "Permit Parking" regulation be implemented on the north side of Keith Street commencing at a point 162 feet west of Douglas Street and extending to a point 17 feet westerly therefrom, and on the south side commencing 172 feet west of Douglas Street and extending to a point 20 feet westerly therefrom; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Ms. Nan Diconzo, No. 24 Keith Street.
- 5.
 - (a) That a "Permit Parking" regulation be implemented on the west side of Paling Avenue commencing at a point 167 feet north of Vansitmart Avenue and extending to a point 24 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Jennifer Dawson, No. 411 Paling Avenue.
- 6. That two one-hour parking meters be installed on the north side of Robert Street commencing 65 feet east of James Street North and extending to a point 36 feet easterly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.

7.
 - (a) That a "No Parking" regulation be implemented on the east side of Ferguson Avenue North commencing at Cannon Street East and extending to a point 303 feet northerly therefrom; and,
 - (b) That a "No Stopping" regulation be implemented on the east side of Ferguson Avenue North commencing at a point 512 feet south of Barton Street East and extending to a point 262 feet southerly therefrom; and,
 - (c) That a "No Stopping" regulation be implemented on the west side of Ferguson Avenue North commencing at a point 480 feet north of Cannon Street East and extending to a point 192 feet northerly therefrom; and,
 - (d) That the City Traffic By-law No. 89-72 be amended accordingly.
8. That the existing "Permit Parking" regulation on the south side of Alanson Street commencing at a point 95 feet west of the extended west curb line of Erie Avenue and extending to a point 18 feet westerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
9.
 - (a) That the existing residential boulevard parking agreement registered as Instrument No. 453079 C.D. to the property at No. 32 Tisdale Street North be amended at the property owner's expense; and,
 - (b) That the City Solicitor be authorized and directed to process the documents in relation to the amendment of this agreement.
10.
 - (a) That a "Permit Parking" regulation be implemented on the east side of John Street North commencing at a point 58 feet north of Strachan Street East and extending to a point 25 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Margaret Campbell, No. 346 John Street North.

11. (a) That a "Permit Parking" regulation be implemented on the east side of Robins Avenue commencing at a point 29 feet north of Sunnidale Street and extending to a point 21 feet northerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,

(b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Tena Ehler, No. 10 Robins Avenue.
12. That the existing "Wheel Chair Loading Zone, 9:00 a.m. to 8:00 p.m., seven days a week" regulation on the west side of Oak Avenue commencing at a point 208 feet north of Cannon Street East and extending to a point 26 feet northerly therefrom be removed, and that the City Traffic By-law No. 89-72 be amended accordingly.
13. (a) That the "Wheelchair Loading Zone, 8:00 a.m. to 4:00 p.m., Monday to Friday" regulation on the west side of Cranbrook Drive commencing at a point 152 feet south of the south curb line of Greendale Drive and extending 40 feet southerly, be removed; and,

(b) That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the west side of Cranbrook Drive commencing at a point 152 feet south of the south curb line of Greendale Drive and extending 40 feet southerly therefrom; and,

(c) That the City Traffic By-law No. 89-72 be amended accordingly.
14. That the existing "No Stopping" regulation on the south side of Dalhousie Avenue commencing at Ottawa Street North and extending to a point 144 feet westerly therefrom be replaced with a "No Parking" regulation and that the City Traffic By-law No. 89-72 be amended accordingly.
15. That the existing "No Parking" regulation on the north side of Hurst Place between Park Street South and MacNab Street South be replaced with a "No Stopping" regulation and that the City Traffic By-law No. 89-72 be amended accordingly.

16. That the existing "Alternate Side Parking" regulation on Fairleigh Avenue North between King Street East and Wilson Street be replaced with a "No Parking Anytime" regulation on the east side and unrestricted parking on the west side and that the City Traffic By-law No. 89-72 be amended accordingly.
17. That a "No Parking, 7:00 a.m. to 8:00 p.m., Seven Days a Week" regulation be implemented on the west side of Studholme Road commencing at a point 273 feet south of Aberdeen Avenue and extending to a point 141 feet southerly therefrom and that the City Traffic By-law No. 89-72 be amended accordingly.
18. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on both sides of West 34th Street between Scenic Drive and Angela Avenue and that the City Traffic By-law No. 89-72 be amended accordingly.
19. That the hours of the existing "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the south side of Wembley Road between West 5th Street and Upper James Street be revised such that the regulation is in effect until 8:00 p.m. and that the City Traffic By-law No. 89-72 be amended accordingly.
20. That a "No Stopping" regulation be implemented on both sides of East 36th Street commencing at the north end and extending to a point 120 feet southerly on the east side and 82 feet southerly on the west side and that the City Traffic By-law No. 89-72 be amended accordingly.
21.
 - (a) That a "Permit Parking" regulation be implemented on the north side of Primrose Avenue commencing at a point 29 feet west of Cavell Avenue and extending to a point 18 feet westerly therefrom, and on the south side of Primrose Avenue commencing at a point 56 feet west of the extended west curb line of Cavell Avenue and extending to a point 18 feet westerly therefrom, and that the City Traffic By-law No. 89-72 be amended accordingly; and,
 - (b) That the Commissioner of Public Works and Traffic be authorized to issue one parking permit to Norma Symington, No. 42 Primrose Avenue.

22. That the existing "Permit Parking" regulation on the west side of Norway Avenue commencing at a point 24 feet north of Cumberland Avenue and extending to a point 20 feet northerly therefrom be removed and that the City Traffic By-law No. 89-72 be amended accordingly.
23. That all-way stop control be implemented at the intersection of Appleblossom Street and Chester Avenue, and that the City Traffic By-law No. 89-72 be amended accordingly.
24. That all-way stop control be implemented at the intersection of Montclair Avenue and Grosvenor Avenue South and that the City Traffic By-law No. 89-72 be amended accordingly.
25. That the existing northbound and southbound stop control at the intersection of Christie Street and Malton Drive be switched such that eastbound and westbound traffic on Malton Drive would be required to stop for northbound and southbound traffic on Christie Street and that the City Traffic By-law No. 89-72 be amended accordingly.
26.
 - (a) That three-way stop control be implemented at the intersections of Janet Court and Kenora Avenue and Village Drive and Adorn Court and Village Drive and Fairington Crescent; and,
 - (b) That Eastgate Drive be operated as an eastbound one-way street between the east curb line of Fairington Crescent and Centennial Parkway; and,
 - (c) That the City Traffic By-law No. 89-73 be amended accordingly.
27.
 - (a) That a School Crossing Guard be assigned to the intersection of Cochrane Road and Montrose Avenue during the morning and evening school crossing periods only for the balance of 1996 and up until the approval of the 1997 Departmental Budget; and,
 - (b) That consideration be given in the 1997 Current Budget deliberations for an expansion package of \$4,000 plus administrative costs for a School Crossing Guard at this location.

28. (a) That, in accordance with Section 15(1) of the Police Services Act, 1990:

(i) the following persons be appointed as Parking Control Officers:

Cindy Cannon

Raymond Baglole

Frank Westaway

Jeff Danby; and,

(ii) the following person be appointed as a Noise Control Officer:

Raymond Baglole; and,

(b) That the following appointment as a Parking Control Officer be repealed:

George Dans.

29. That a purchase order be issued to Canadian Roadway Products, North York, Ontario, for the supply and delivery of sign blanks as and when required during 1997 by the Traffic Division, being the lowest of four bids received on items being recommended and supplying material in accordance with specifications issued by the Purchasing Division, and that the estimated expenditure of \$90,000 be financed through the Traffic Signs Materials Account No. CH56152 75999.

30. That a purchase order be issued to 3M Canada Inc., London, Ontario, for the supply and delivery of sign sheeting as and when required during 1997 by the Department of Public Works and Traffic, as per attached prices, being the only bid received and being in accordance with the specifications issued by the Purchasing Division's tender, and that this expenditure be financed through the Traffic Signs Materials Account No. CH56154 75999.

31. (a) That in accordance with the request by the Hamilton Street Railway Company, the following bus stops be installed:

Route No. 22 Upper Ottawa

- Add - Southbound - Anchor Road, west side, 279 feet south of the south curb line (projected) of Bigwin Road (M/B); and,
- Add - Westbound - Bigwin Road, north side, 545 feet west of the centre line of Pritchard Road (M/B); and,
- Add - Northbound - Anchor Road, east side, 91 feet south of the centre line of Stone Church Road East (N/S) - recovery point; and,

- (b) That the City Traffic By-law No. 89-72 be amended accordingly.

32. That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Laurier Avenue commencing at a point 315 feet east of Columbia Drive and extending 120 feet easterly therefrom, be revised such that the regulation commences 88 feet west of Delmar Drive and extends 40 feet westerly therefrom, and the City Traffic By-law No. 89-72 be amended accordingly.

33. (a) That in accordance with the request by the Hamilton Street Railway Company, the following bus stops be removed and installed:

Route No. 6 Aberdeen

- Delete - Westbound Franklin Road, north side, 73 feet west of the west curb line of Uplands Avenue (F/S); and,
- Delete - Eastbound Norwood Avenue, south side, 22 feet west of the west curb line of Bond Street (N/S); and,
- Delete - Eastbound Norwood Avenue, south side, 20 feet west of the west curb line of Longwood Road North (N/S); and,

Delete - Southbound	Longwood Road North, west side, 58 feet south of the south curb line of Devon Place (F/S); and,
Delete - Southbound	Longwood Road North, west side, 3 feet north of the north curb line of King Street West (N/S); and,
Add - Southbound	Macklin Street North, west side, 965 feet north of the north curb line of Dufferin Street (M/B); and,
Add - Southbound	Macklin Street North, west side, 279 feet north of the north curb line of Dufferin Street (M/B); and,
Add - Southbound	Longwood Road South, west side, 130 feet south of the south curb line of King Street West (F/S); and,

(b) That the City Traffic By-law No. 89-72 be amended accordingly.

34. That the Terms of Employment for School Crossing Guards and Spare School Crossing Guards, attached hereto as Appendix "A", be approved.
35. That a purchase order be issued to Canadian Corps of Commissionaires (Hamilton) for parking enforcement services for 1997, in accordance with the conditions of the attached Vendor's quote as follows:

<u>Position</u>	<u>Billing Rate Per Hour</u>
Sergeant	\$12.13
Commissionaire	\$11.20

36. That the application to retain an inadvertent encroachment at the location outlined in Appendix "B", attached hereto, be approved, provided:
- (a) That the owner enter into an agreement satisfactory to the City Solicitor and Commissioner of Transportation/Environmental Services to indemnify and save the City harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and,

- (b) That the Mayor and City Clerk be authorized to execute the City's standard form of agreement; and,
- (c) That the first year fee and subsequent annual fee as outlined in Appendix "B" be set for the encroachment.

37. (a) That the submitted schedule of works be adopted for inclusion in the Modified Subdivision Agreement with the Owner, for the estimated cost of services in:

City of Hamilton Land Severance Application No. B-96:7

City's Share - \$ 35,933.89 Owner's Share - \$ 55,948.71

- (b) That the Mayor and City Clerk be authorized and directed to execute the proposed Modified Subdivision Agreement between the City and the Owner of the lands under City of Hamilton Land Severance Application No. B-96:7, as well as any other related documents for this development subject to the approval of the City Solicitor; and,
- (c) That approval of the above clauses be subject to the condition that no work be commenced until the necessary deeds have been endorsed; and,
- (d) That in the event the owner wishes to proceed prior to the Final Plan and Modified Subdivision Agreement being registered, the Owner should be allowed to do so at their own risk provided that they enter into a standard agreement with the City of Hamilton for pre-servicing; and,
- (e) That the City's share of servicing for Land Severance Application No. B-96:7 at an estimated cost of \$ 35,933.89, be financed from the Account Centre No. 00107 - Reserve for Services Through Unsubdivided Lands.

38. (a) That the Commissioner of Transportation be directed to prepare a By-law to stop up, close and retain:
- (i) The most westerly 0.30 metres of Jeremy Street, from the northerly limit of Lot 4, Registered Plan 1053, southerly to a distance of approximately 16.29 metres; and,

(ii) The most easterly 0.30 metres of Jeremy Street, from the most northerly limit of Lot 5, Registered Plan 1053, southerly to a distance of approximately 16.29 metres; and,

(b) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closings described in Sub-Section (a) (i) and Sub-Section (a) (ii) above, pursuant to Section 44 of the Regional Municipality Act R.S.O. 1990; and,

(c) That the Commissioner of Transportation be authorized and directed to prepare and register a reference plan under the Registry Act, for the purpose of closing the road described in Sub-Section (a) (i) and Sub-Section (a) (ii) above; and,

(d) That the City Clerk be directed to publish a notice of City Council's intention to pass the By-law, pursuant to Section 301 of the Municipal Act, R.S.O. 1990.

39. (a) That the following City land be incorporated into a certain street:

Blossom Lane	Parts 1 and 2	62R-13868
Sedona Court	Part 2	62R-13871
Queensdale Ave. E.	Part 2	62R-13352
Bordeaux Court	Parts 3 and 5	62R-13772; and,

(b) That the By-law to carry out the incorporation of the said land into the foregoing street be enacted by Council; and,

(c) That the Commissioner of Transportation be authorized and directed to register the By-law.

40. That City Council receive the following information:

The Transport and Environment Committee at its meeting held 1996 December 2 appointed Raffaella Brugnano, Lori Nethercut, Michael Murkovich and Kathy Vucic to serve on the Keep Hamilton Clean Committee for a term to expire 1999 December 31.

41. That the estimated expenditure level for the provision of concrete cutting saw/operator services by Bigelow Brothers Construction, being the lowest of four tenders received, be increased from \$57,000 to \$100,000 per year.
42. That the City Treasurer be directed to close the following Capital Project accounts with any excess funding to be transferred to its original source of financing:

Capital Centre Number	Project Description	Authorized Gross Cost	Expended/ Committed To Date	Balance Available	Source of Financing
609341013	Renovate Ferguson Yard Staff Facilities Building	107,000.00	103,924.40	3,075.60	Reserve for Capital Projects
609551018	Refuse Packer 25 cu.yd. capacity	397,681.50	386,104.89	11,576.61	Capital Levy/Reserve for Capital Projects
649041012	Renovations Ventilation	169,000.00	168,875.05	124.95	Reserve for Capital Projects
759549021	Traffic Signal Modernization and Installation-1995	70,000.00	52,300.84	17,699.16	Capital Levy/ Reserve for Development Charges/ MTO
TOTAL		743,681.50	711,205.18	32,476.32	

43. (a) That the Commissioner of Transportation be directed to advertise and to prepare a By-law to stop up, close and sell the road allowance of Upper Horning Road, from Upper Horning Road to Omni Boulevard and an unopened road allowance to the South City Limits, and that the said notice include Notice to the Public of the City's intention to sell Part 7; and,
- (b) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 44 of the Regional Municipality Act R.S.O. 1990; and,
- (c) That the Applicant, prepare and register a reference plan under the Registry Act; said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and that it delineate the manner in which the proposed closed portion is to be distributed to the abutting owners and that the applicant deposit a reproducible copy of said plan, with the Regional Surveyor; and,
- (d) That the City Clerk be directed to publish a notice of City Council's intention to pass the By-law, pursuant to Section 301 of the Municipal Act, R.S.O. 1990; and,
- (e) That the following property be declared surplus to the requirements of the City in accordance with Realty Sales Procedural By-law No. 95-049:
- Part of the Upper Horning Road to be closed being Parts 1, 2, 3, 4, 5, 6 and 7 on Schedule "A" attached to the Agreement and part of an unopened road allowance between Lots 54 and 55, Concession 3, in the Township of Ancaster, now in the City of Hamilton; and,
- (f) That an Offer to Purchase, (Highway Closure), duly executed by Frank Mulas Construction Limited and scheduled to close within thirty (30) days after the completion of the conditions as set out in the Agreement, for the sale of the lands composed of part of Upper Horning Road to be closed being Parts 1, 2, 5 and 6 on Schedule "A" attached to the Agreement and part of an unopened road allowance between Lots 54 and 55, Concession 3, in the Township of Ancaster, now in the City of Hamilton, and comprising a total area of 1,737.75 square metres (0.42939 acres) more or less, be approved and completed as the

requirements in the Municipal Act pursuant to the City's Realty Sales Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City and the funds derived from this sale of \$42,939 be credited to Account No. CH4X501 00102 (Reserve for Property Purchases/Sales); and,

- (g) That an Offer to Purchase (Highway Closure), duly executed by DiCenzo Construction Company Limited and scheduled to close within thirty (30) days after the completion of the conditions as set out in the Agreement, for the sale of the lands composed of part of Upper Horning Road to be closed being Parcel 1 - Parts 3 and 4 on Schedule "A" attached to the Agreement and part of an unopened road allowance between Lots 54 and 55, Concession 3, in the Township of Ancaster, now in the City of Hamilton and comprising a total area of 1,018.89 square metres (.25176 acres) more or less, Parcel 2 - being vacant land described as part of Lot 55, Concession 3, Ancaster, Part 7 on Plan attached as Schedule "A", having an area of 93.88 square metres (.02319 acres more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Realty Sales Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City and the funds derived from this sale of \$27,495 be credited to Account No. CH4X501 00102 (Reserve for Property Purchases/Sales); and,
- (h) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
- (i) That in accordance with Realty Sales Procedural By-law No. 95-049:
 - (i) satisfactory notice has been given to the public of the intended sale; and,
 - (ii) no appraisal of the fair market value of the real property being sold was obtained as Highway closures and sales are exempt from the appraisal requirements of Section 193 of the Municipal Act; and,
 - (iii) that an appraisal was received on 1996 December 2 for Part 7 in accordance with the Procedural By-law No. 95-049; and,

- (iv) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act; and,
 - (j) That the said property transactions are subject to the standard highway conditions in each Offer and to the additional conditions set out in Schedule "B" attached to the agreements, and attached hereto as Appendix "C" and Appendix "D".
44. (a) That the West Central Branch of the Ministry of Environment and Energy (MOEE) be advised that the City of Hamilton has the following concerns to Provincial Environmental Services receiving a Certificate of Approval for a Waste Disposal Site (Processing) for the site located at No. 97 Frid Street:
- (i) size of the site
 - (ii) on-site traffic movement
 - (iii) parking and fire concerns
 - (iv) potential of spills relating to the sewer system
 - (v) water, air, ground and noise pollution
 - (vi) potential negative economic impact on the surrounding area; and,
- (b) That a copy of Report ENV 96-098 be forwarded to the Ministry of Environment and Energy, West Central Branch for consideration; and,
- (c) That a copy of the petition, a sample of which is attached hereto as Appendix "E", bearing the names of over 700 individuals opposed to the granting of a Certificate of Approval for a Waste Disposal Site Processing at No. 97 Frid Street be forwarded to the Ministry of Environment and Energy, West Central Branch.
45. (a) That the West Central Branch of the Ministry of Environment and Energy (MOEE) be advised that the City of Hamilton has no objection to I.W. & S. Ferrous Ltd. receiving an amendment to its Certificate of Approval for a Waste Disposal Site (Processing) for the site located at No. 670 Strathearne Avenue, Hamilton, provided that all environmental safeguards normally associated with the proposed activities are implemented to the satisfaction of the Ministry of Environment and Energy and that all applicable City By-laws are complied with fully; and,

- (b) That a copy of this report be forwarded to the Ministry of Environment and Energy, West Central Branch for consideration; and,
 - (c) That the Ministry of Environment and Energy be requested to forward a copy of its final decision respecting the application for Provisional Certificate of Approval for I.W. & S. Ferrous to the City of Hamilton.
46. That the Mayor and City Clerk be authorized and directed to execute an agreement in a form satisfactory to the City Solicitor to engage H.I.P. Hot-in-Place Recycling Equipment Inc. of Agincourt, Ontario to supply all necessary labour, materials and equipment to undertake hot-in-place recycling of asphalt paving on City streets with an annual minimum of 300,000 m² for three years at a cost of \$3.38/m² exclusive of applicable taxes.
47. (a) That the "Revised Sewer Street Tree Policy", attached as Appendix "F", be adopted; and,
- (b) That the Department of Public Works and Traffic prepare an information package for affected property owners and contractors regarding changes in the "Sewer Street Tree Policy"; and,
- (c) That the attached policy "Revised Sewer Street Tree Policy" be forwarded to the Regional Municipality of Hamilton-Wentworth for their consideration in adopting same; and,
- (d) That the Commissioner of the Public Works and Traffic Department continue to fund sewer root clean outs and cost share repairs and prepare an expansion package to adjust the funding allocations, for consideration in the 1997 current budget deliberations.
48. (a) That the School Crossing Guards at the intersections of Churchill Avenue and Upper James Street, Wentworth Street North and Munroe Street and Mohawk Road East and Terrace Drive be retained on a permanent basis; and,
- (b) That the School Crossing Guard at the intersection of Fennell Avenue East and High Street be removed at the end of June 1997.

49. That the action of the Chief Administrative Officer directing the removal and replacement of a tree within the Mary Street road allowance be approved subject to the following condition:

That the City be reimbursed by the Great Atlantic & Pacific Company of Canada Ltd. in the amount of \$1,380 for the cost of the removal and replacement of the tree.

50. That the following Bills be adopted, signed, sealed and enrolled as By-laws:

- (a) A-65 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (b) A-66 A By-law to Amend By-law No. 89-72 to Regulate Traffic
- (c) A-67 A By-law to Incorporate City Land Designated as Part 1 and 2 on Plan 62R-13868 into Blossom Lane
- (d) A-68 A By-law to Incorporate City Land Designated as Part 2 on Plan 62R-13871 into Sedona Court
- (e) A-69 A By-law to Incorporate City Land Designated as Part 2 on Plan 62R-13352 into Queensdale Avenue East
- (f) A-70 A By-law to Incorporate City Land Designated as Parts 3 and 5 on Plan 62R-13772 into Bordeaux Court
- (g) A-71 A By-law to Amend By-law No. 86-77 to Regulate Usage of Hedges, Shrubs and Plant Material on Road Allowances

Respectfully Submitted,

**ALDERMAN H. MERLING, CHAIRMAN
TRANSPORT AND ENVIRONMENT COMMITTEE**

Kevin C. Christenson, Secretary

1996 December 2nd

Appendix "A" as referred to in
Section 34 of the Sixteenth Report
of the Transport and Environment
Committee for 1996

THE CORPORATION OF THE CITY OF HAMILTON

TERMS OF EMPLOYMENT FOR
SCHOOL CROSSING GUARDS AND SPARE SCHOOL CROSSING GUARDS
AS PASSED BY CITY COUNCIL ON 1996

1.0 WORK HOURS AND WAGE RATE

- 1.10 School Crossing Guards at "full" points and Spare School Crossing Guards shall work a 13.75 hour week.
- 1.11 School Crossing Guards at "short" points shall work a 8.25 hour week (60% of a full point).
- 1.12 The hourly rate of pay for all School Crossing Guards will be as set out below:
- | | |
|--------------|---------|
| PROBATIONARY | |
| HOURLY RATE: | \$9.455 |
| HOURLY RATE: | \$9.709 |
- 1.13 The probationary period and rates shall apply for six (6) months, excluding July and August, commencing from the employee's start date.
- 1.14 The hours of work described in this Section are stated solely for the purpose of calculating overtime and are not a guarantee of any minimum hours of work. Those employees who work greater hours or parts of hours than that described shall be entitled to overtime. The overtime rate shall be equivalent to the standard hourly rate, expressed in decimal parts per hour.
- 1.15 The duration of the break between the lunch time school dismissal crossing period and the lunch time school entry crossing period shall be included in the hours of work, should it be 15 minutes or less, expressed in decimal parts per hour.

- 1.20 School Crossing Guards and Spare School Crossing Guards are not normally scheduled to work during July and August except those assigned to work during the "SUMMER CROSSING PROGRAM". See Section 13.0 of these Terms of Employment.
- 1.30 All Spare School Crossing Guards and School Crossing Guards who work on School Board designated Professional Activity Days shall be paid for each Professional Activity Day at their appropriate Hourly Rate.
- 1.40 Spare School Crossing Guards shall receive pay for days on which they are available to work and required to be available for work by the employer, but do not work. However, notwithstanding the above, Spare School Crossing Guards shall not receive pay for days which they are unavailable for work, unless they are off on illness/injury and are drawing from their sick bank.
- 1.50 The March School Break shall be paid at the employee's appropriate rate of pay. Exceptions to the foregoing are as follows in Section 1.51.
- 1.51 An employee shall not be paid for the March School Break:
- (a) if he/she has been absent without good cause, as determined by the Employer, on the scheduled working day immediately preceding and/or following the March School Break; or,
 - (b) if he/she has not been employed by the Employer for at least thirty (30) continuous days; or
 - (c) if he/she does not earn wages on twelve (12) days of the four (4) weeks preceding the March School Break.
- 1.60 All School Crossing Guards and Spare School Crossing Guards who attend the annual training session prior to the school year shall be paid for two (2) hours.

2.0 STATUTORY HOLIDAYS

- 2.10 Statutory holidays shall be paid at the employee's appropriate rate of pay in accordance with the Employment Standards Act (Ontario), as follows:

Good Friday
Easter Monday
Victoria Day
Canada Day

Thanksgiving Day
Christmas Day
Boxing Day
New Year's Day

2.11 An employee shall not be paid for any Statutory Holiday:

- (a) if he/she has been absent without good cause as determined by the Employer, on the scheduled working day immediately preceding and/or following such holiday; or
- (b) if he/she has not been employed by the Employer for at least thirty (30) continuous days; or
- (c) if he/she does not earn wages on twelve (12) days of the four (4) weeks preceding the holiday.

3.0 VACATION

3.10 Vacation time shall not be provided. Payment for vacation shall be made at the rate of percent (as outlined below) of earnings in the preceding calendar year excluding vacation pay, to employees who have years of service (as outlined below) completed during the current vacation year.

<u>Vacation Qualification</u>	<u>Percent of Vacation Pay</u>
less than 1 year	4.0 %
1 year	5.1 %
4 years	7.7 %
9 years	10.3%

3.20 Vacation entitlement shall be paid out on the first pay of the year following the vacation year.

4.0 SICK LEAVE

4.10 Permanent employees shall accumulate 1.5 days sick leave credits per month up to a maximum of fifteen (15) days sick leave credit per year with the following exceptions:

Employees absent due to illness/injury exceeding a total of eight (8) working days in the month shall receive no credit for that month.

Employees working during the months of July and August shall receive no credits for those months.

- 4.20 A permanent employee who has six months or more employment is eligible to draw from his/her sick bank up to the number of days accumulated.
- 4.30 Any absence of less than one full day will be recorded to the nearest quarter day.
- 4.31 Any absence of one full day will be recorded as a full day absence.
- 4.32 Deductions from an employee's sick bank will be adjusted to the nearest half day.
- 4.40 School Crossing Guards at "full" points and Spare School Crossing Guards are entitled to take up to four (4) school crossing periods off for MEDICAL appointments without loss of pay, in each calender year.
- 4.41 School Crossing Guards at "short" points are entitled to take up to two (2) school crossing periods off for MEDICAL appointments without loss of pay, in each calender year.
- 4.50 Policies and Procedures relating to attendance and claiming of disability benefits as approved by City Council and amended from time to time shall be applicable to all School Crossing Guards. The documentation is included in the Employee Handbook dated April 1992.

5.0 SICK LEAVE GRATUITY

- 5.10 An employee who ceases employment as a School Crossing Guard or a Spare School Crossing Guard and who was employed:
- (i) for not less than seven (7) years and not more than twelve (12) years is entitled to a gratuity equal to one half the number of unused days of sick leave standing to his/her credit at his/her appropriate Daily Rate of pay for the year in which employment ceases, provided that in no case shall the amount of the gratuity be more than an amount equal to his/her salary or other remuneration for the immediately preceding sixty-five (65) days excluding the months of July and August;
 - (ii) for not less than twelve (12) years is entitled to a gratuity equal to one half the number of unused days of sick leave standing to his/her credit at his/her appropriate Daily Rate of pay for the year in which employment ceases, provided that in no case shall the amount of gratuity be more than an amount equal to his/her salary or other remuneration for the immediately preceding one hundred and thirty (130) days excluding the months of July and August.
- 5.20 An employee whose working day was changed between a "full" point and a "short" point shall have his/her sick leave gratuity calculated partially at the "full" point rate and partially at the "short" point rate, based on the proportion of years the employee was employed at each rate.
- 5.30 When an employee ceases to be employed as a School Crossing Guard or as a Spare School Crossing Guard but continues to be employed by the Employer in an uninterrupted fashion:
- (i) the number of unused days of sick leave standing to his/her credit earned under this Terms of Employment is not transferable;
 - (ii) the employee may apply for sick leave gratuity under this Terms of Employment.
- 5.40 In the event that an employee dies while in the employ of the Employer, his/her estate is entitled to receive payment of the gratuity in accordance with the provisions of the current Terms of Employment.

6.0 LEAVE OF ABSENCE

- 6.10 All School Crossing Guards and Spare School Crossing Guards requesting a leave of absence must comply with the City of Hamilton Policies and Procedures respecting unpaid leaves of absence. Approval of all leaves of absence will be at the discretion of the Employer and will be based on the operational needs of the Employer.
- 6.20 Employees shall be allowed up to three (3) consecutive calendar days leave of absence without loss of pay in the event of death in the immediate family. Members of the immediate family shall be defined as; a spouse, common-law-spouse, child, parent, foster or adopted parent, grandparent, grandchild, brother or sister, parent-in-law, son-in-law, daughter-in-law, brother-in-law or sister-in-law. Such leave to be taken at the time of that bereavement or at the time the employee receives notification of that bereavement. Proof of bereavement may be required by the Commissioner of Human Resources.
- 6.30 An employee who is required to serve as a juror, or as a witness in any court, shall be paid his/her regular rate of pay for his/her normally scheduled working hours of any day or part of a day that he/she is absent because of such service. Jury duty pay and witness fees less reasonable expenses incurred by the employee as a result of serving as a juror or as a witness, shall be paid to the Treasurer of the Employer on receipt thereof by such employee.

An employee may elect to use a leave of absence without pay, in order to attend to jury or court duty. In such cases, the employee will retain all fees paid to him/her by the court.

7.0 CLOTHING

- 7.10 Uniforms shall be provided by the Employer; except that all guards shall provide their own footwear acceptable to the Employer.
- 7.20 The issued uniform shall be worn as prescribed by the Employer.
- 7.30 The uniform remains the property of the Employer and must be returned upon termination or when requested. Failure by the employee to return the uniform upon termination will result in the Employer deducting the value of the uniform from his/her termination pay.

8.0 CLEANING, FOOTWEAR, TRAINING AND TRAVEL ALLOWANCES

- 8.10 All School Crossing Guards and Spare School Crossing Guards shall receive \$5.00 per full month worked Cleaning Allowance, up to a maximum of \$50.00 per school year; except that \$2.50 shall be deducted from said amount for each month which the employee works less than half of the scheduled working days.
- 8.20 All School Crossing Guards and Spare School Crossing Guards shall receive \$5.00 per full month worked Footwear Allowance, up to a maximum of \$50.00 per year; except that \$2.50 shall be deducted from said amount for each month which the employee works less than half of the scheduled working days.
- 8.30 All Spare School Crossing Guards shall receive \$38.00 per week; (\$7.60 per day) Travel Allowance; except that \$7.60 shall be deducted from said amount for every full day or \$2.50 per crossing period, on which he/she is not available for work.
- 8.40 Any School Crossing Guard who works temporarily at a location other than his/her regularly scheduled location, as requested by his/her Supervisor, shall receive \$2.50 per school crossing period Travel Allowance if he/she is required to use his/her own vehicle.
- 8.50 Any School Crossing Guard who travels an abnormal distance to his/her point (as determined by the Employer), shall receive \$5.00 per day worked, Travel Allowance for a "short" point or \$7.60 per day worked, Travel Allowance for a long point if he/she is required to use their own vehicle.
- 8.60 Any School Crossing Guard who, at the request of his/her Supervisor trains another employee, shall receive an additional \$1.25 per crossing period for those crossing periods spent training.
- 8.70 Travel Allowance as appropriate shall be paid each pay period.
- 8.80 Travel Allowance shall not be paid to any Guard working during the SUMMER CROSSING PROGRAM.

9.0 MEDICAL TESTING

- 9.10 The Employer reserves the right to require the employee to undergo medical testing to ascertain only the employee's ability to discharge his/her duties. The testing shall not be conducted in a discriminatory manner.
- 9.20 Medical testing when required by the Employer is mandatory and shall be conducted at a place chosen by the Employer and at the Employer's expense.
- 9.30 Failure to submit to medical testing will result in a suspension without pay and/or dismissal.
- 9.40 The Employer, upon receipt of notification that the employee is "medically unfit" to discharge his/her duties, will have the right to suspend the employee without pay until such time as the employee is declared to be medically fit to return to duty as determined by the agencies conducting the medical testing on behalf of the employee and upon approval of the Employer.

10.0 REPORTING RESPONSIBILITY

- 10.10 All School Crossing Guards and Spare School Crossing Guards report directly to the:

School Crossing Supervisors
Community Traffic Services Section
Public Works & Traffic Department
City of Hamilton

Telephone Number 546-2200

11.0 PROGRAM CHANGES

- 11.10 School crossing locations and working hours are established by resolutions of the Municipal Councils of Hamilton, Dundas, Ancaster and Flamborough and in accordance with the Policies and Procedures of the Corporation of the City of Hamilton Public Works & Traffic Department. Therefore, the Employer reserves the right to reduce or increase a point between "full" and "short" hours at any location with a minimum of two (2) weeks written notice to affected employees and to eliminate or add school crossing locations.

12.0 POLICIES AND PROCEDURES

- 12.10 All School Crossing Guards and Spare School Crossing Guards must comply with the City of Hamilton Public Works & Traffic Department policies and procedures respecting "School Crossing Guard Operational Matters" and "Health and Safety Matters". Failure to comply with said policies and procedures will result in disciplinary action up to and including termination.

13.0 SUMMER CROSSING PROGRAM

- 13.10 A School Crossing Guard or Spare School Crossing Guard working during the "SUMMER CROSSING PROGRAM" shall be paid at the rates described in Section 1.12.
- 13.20 An employee working during the "SUMMER CROSSING PROGRAM" shall not earn sick leave credits nor be able to use sick leave credits during his/her employment as a "SUMMER CROSSING GUARD".
- 13.30 Sections 4.40, 4.41, 8.10, 8.20, 8.30, 8.40, and 8.50 of this Terms of Employment are not applicable to "SUMMER CROSSING GUARDS".

14.0 DEFINITIONS

14.10 The following words are defined as used in this Terms of Employment:

School Crossing Guard - an employee hired by the Employer to fulfil the mandate of the job description of the position of School Crossing Guard. School Crossing Guards are assigned to a specific point or school crossing location.

Spare School Crossing Guard - an employee hired by the Employer to fulfil the mandate of the job description of the position of Spare School Crossing Guard. Spare School Crossing Guards are not assigned to a specific point or school crossing location on a permanent basis but must be available on all school days to "fill in" at various points or school crossing locations when required.

Employee- any individual hired as a School Crossing Guard or Spare School Crossing Guard by the Employer.

Employer - The Corporation of the City of Hamilton.

A "full" point is a location where a guard is assigned to work during the morning entry, lunch dismissal, lunch entry and evening dismissal school crossing periods.

A "short" point is a location where a guard is assigned to work during the morning entry and evening dismissal school crossing periods only.

SUMMER CROSSING PROGRAM - The use of School Crossing Guards to cross children during the non-school months of July and August.

SUMMER CROSSING GUARD - A School Crossing Guard or Spare School Crossing Guard who has volunteered and has been accepted by the Employer to work during the SUMMER CROSSING PROGRAM.

YEAR - Unless otherwise noted shall mean calendar year (Jan to Dec inclusive).

15.0 CHANGES TO THESE TERMS OF EMPLOYMENT

15.10 This document is subject to change by the Employer without notice.

Appendix "B" as referred to in
Section 36 of the Sixteenth Report
of the Transport and Environment
Committee for 1996

<u>Location</u>	<u>Municipal Address</u>	<u>Owner</u>	<u>Type of Encroachment</u>	<u>First Year/ Annual Fee</u>
East Avenue	317 Cannon Street East	Ali Shaikh	Portion of Fire Escape measuring 0.60m x 0.792m Steps measuring 0.30m x 0.91m Portion of a landing measuring 4.57m x 0.387m Steps measuring 0.487m x 0.792m	\$138/20

Appendix "C" as referred to in Section 43
of the Sixteenth Report of the Transport
and Environment Committee for 1996

Schedule "B"

1. It is understood and agreed by both parties that the completion of this transaction is, in addition to the conditions set out in the attached Offer, also conditional upon:
 - a) The Corporation of the City of Hamilton offering Part 5 (on a Plan dated November 28, 1996 prepared by A.J. Clarke and Associates) to DiCenzo Construction Company Limited and Sunshine Construction Inc. at a price of One Thousand, Eight Hundred and Fourteen Dollars (\$1,814.00);
 - b) The City receiving, in writing, on or before the closing of this transaction, from DiCenzo Construction Company Limited and Sunshine Construction Inc., a statement:
 - i) acknowledging receipt of the City's Offer of Part 5 at a price of \$1,814.00;
 - ii) informing the City that DiCenzo Construction Company Limited and Sunshine Construction Inc. decline to exercise and have decided to waive their right to purchase the said Part 5;
 - c) Part 5 being closed CONTEMPORANEOUSLY with Part 6 on the said Plan;
 - d) Frank Mulas Construction Limited,
 - i) not opposing and taking all reasonable steps required by the City to assist the closure and sale of said Parts 3, 4, 5 and 6 for the following purposes: Part 3 and 4 being intended to be closed and sold by the City to DiCenzo Construction Company Limited and Sunshine Construction Inc. Parts 5 and 6 intended to be closed and sold by the City to Frank Mulas Construction Limited;
 - ii) delivering to the City, in writing on or before the closing of this transaction, a statement:
 - aa) acknowledging receipt of the City's Offer of Part 4;
 - bb) informing the City that Frank Mulas Construction Limited declines to exercise and has decided to waive its right to purchase the said Part 4;
 - iii) conveying title to the City free and clear of all encumbrances, the land described as Part 7 on the said plan for the sum of \$2,319.00. The said price includes GST, which the vendor agrees to remit to Revenue Canada. Regarding the said Part 7, the City shall have the right to submit requisitions on title to Part 7 up to the date of closing. As the said Part 7 is intended for re-conveyance by the City to DiCenzo Construction Company Limited and Sunshine Construction Inc., the closing of this purchase by the City is expressly conditional upon DiCenzo Construction Company Limited and Sunshine Construction Inc. agreeing to take title to the said Part 7 from the City on the same date Part 7 is to be transferred by Frank Mulas Construction Limited to the City.
2. The said clause one of this Schedule "B" is for the benefit of both the Vendor and the Purchaser and neither party has the right to waive compliance with any of its conditions.

In the event that a condition in paragraph one of this Schedule is not fulfilled, then the Agreement of Purchase & Sale arising out of the City's acceptance of this Offer to Purchase, shall be at an end, the deposit shall be returned to the Purchaser by the Vendor without interest and the Purchaser shall have no claim against the Vendor for any expenses or costs.

Appendix "D" as referred to in Section 43
of the Sixteenth Report of the Transport
and Environment Committee for 1996

Schedule "B"

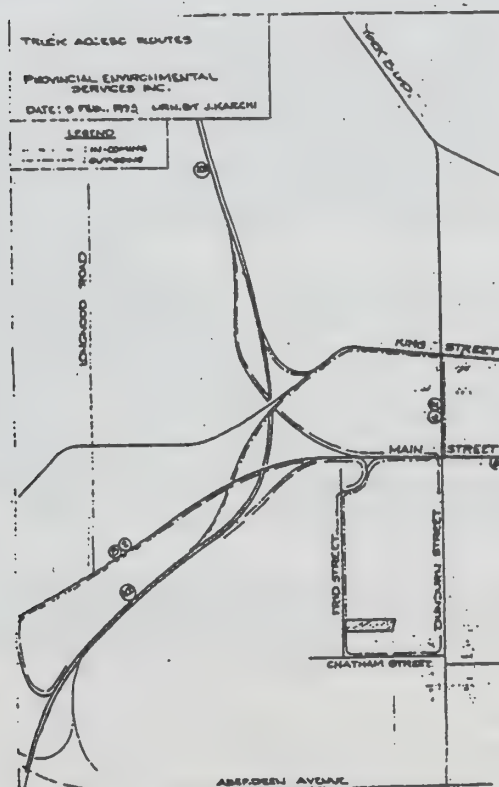
1. It is understood and agreed by both parties that the completion of this transaction is, in addition to the conditions set out in the attached Offer, also conditional upon:
 - a) The Corporation of the City of Hamilton offering Part 4 (on a Plan dated November 28, 1996 prepared by A.J. Clarke and Associates) to Frank Mulas Construction Limited at a price of Nine Thousand, Two Hundred and Thirty-five Dollars and Forty-eight Cents (\$9,235.48);
 - b) The City receiving, in writing, on or before the closing of this transaction, from Frank Mulas Construction Limited, a statement:
 - i) acknowledging receipt of the City's Offer of Part 4 at a price of \$9,235.48;
 - ii) informing the City that Frank Mulas Construction Limited declines to exercise and has decided to waive its right to purchase the said Part 4;
 - c) Part 4 being closed CONTEMPORANEOUSLY with Part 3 on the said Plan;
 - d) DiCenzo Construction Company Limited and Sunshine Construction Inc.
 - i) not opposing and taking all reasonable steps required by the City to assist the closure and sale of said Parts 3, 4, 5 & 6 for the following purposes: Part 3 & 4 being intended to be closed and sold by the City to DiCenzo Construction Company Limited and Sunshine Construction Inc. Parts 5 and 6 intended to be closed and sold by the City to Frank Mulas Construction Limited;
 - ii) delivering to the City, in writing on or before the closing of this transaction, a statement:
 - aa) acknowledging receipt of the City's Offer of Part 5
 - bb) informing the City that DiCenzo Construction Company Limited and Sunshine Construction Inc. decline to exercise and have decided to waive their right to purchase the said Part 5;
 - iii) The Corporation of the City of Hamilton acquiring title to Part 7 free and clear of all encumbrances from Frank Mulas Construction Limited. The parties agree that the portion of the sale price attributable to Part 7 is the sum of \$2,319.00, in respect of which the purchaser shall pay the City the G.S.T. of 7%. Regarding the City's administrative and related expenses in respect of the acquisition and re-sale of Part 7, DiCenzo Construction Company Limited and Sunshine Construction Inc. agree, upon the closing of this transaction with the City, to reimburse the City for such expenses as reasonably determined by it, an amount not exceeding the sum of \$1,000.
2. The said clause one of this schedule "B" is for the benefit of both the Vendor and the Purchaser and neither party has the right to waive compliance with any of its conditions.

In the event that a condition in paragraph one of this Schedule is not fulfilled, then the Agreement of Purchase & Sale arising out of the City's acceptance of this Offer to Purchase, shall be at an end, the deposit shall be returned to the Purchaser by the Vendor without interest and the Purchaser shall have no claim against the Vendor for any expenses or costs.

WE ARE OPPOSED TO THE GRANTING OF A CERTIFICATE OF APPROVAL FOR A
WASTE DISPOSAL SITE PROCESSING AT 97 FRID STREET TO PROVINCIAL
ENVIRONMENTAL SERVICES INC. FOR THE FOLLOWING REASONS AND WE
RESPECTFULLY REQUEST A HEARING UNDER THE ENVIRONMENTAL
PROTECTION ACT. - OVER

NAME (Please Print)	ADDRESS (Please Print)	POSTAL CODE	PHONE NO.	SIGNATURE
<i>L Macaulay-Newcombe</i>	160 Flatt Ave.	L8P4N3	522-4857	<i>L Macaulay-Newcombe</i>
<i>MUNE DE GIBNEY</i>	148 FLATT AVE	L8P4N3	521-0931	<i>M. Gibney</i>
<i>GARY TURDY</i>	144 FLATT AVE	L8P4N3	522-2087	<i>G. Turdy</i>
<i>John E. Dinell</i>	140 Flatt Ave	L8P4N3	522-5926	<i>J. Dinell</i>
<i>R. Bunch</i>	136 FLATT AVE	L8P4N3	631-6363	<i>R. Bunch</i>
<i>Budine & Jim O'Bannon</i>	132 Flatt Ave	L8P4N3	-	<i>P.A. O'Bannon</i>
<i>Cassey Bryne</i>	124 Flatt Ave	L8P4N3		<i>C. Bryne</i>
<i>Stephen Haddad</i>	120 FLATT AVE	L8P4N3		<i>S. Haddad</i>
<i>Joseph H. Haynes</i>	116 FLATT AVE	L8P4N3		
<i>A. Maynor</i>	104 Flatt Ave	L8P4N3		
<i>P. N. Dick</i>	100 FLATT AVE	L8P4N3		<i>P. N. Dick</i>
<i>B. Fraser</i>	96 Flatt Ave	L8P4N3	528-5352	<i>B. Fraser</i>
<i>CHUCK CARROLL</i>	90 FLATT AVE	L8P4N3	526-6114	<i>Chuck Carroll</i>
<i>Candra Carroll</i>	80 Flatt Ave	L8P4N3		<i>C. Carroll</i>
<i>Selina Millett</i>	72 Flatt Ave.	L8P4N3	523-7130	<i>S. Millett</i>
<i>BEVERLEY WAGY</i>	68 FLATT AVE	L8P4N3	525-3559	<i>Beverley Wagy</i>
<i>BETTY STEINER</i>	64 FLATT AVE	L8P4N3	unlisted	<i>B. Steiner</i>
<i>Steve Hollingshead</i>	59 FLATT AVE	L8P4N2	523-5747	<i>S. Hollingshead</i>
<i>Anne Hollingshead</i>	59 Flatt Ave.	L8P4N2	523-5747	<i>A. Hollingshead</i>
<i>C. WERNER</i>	44 FLATT AVE	L8P4N2	-	<i>C. Werner</i>

1. WE ARE CONCERNED ABOUT THE RISK TO THE HEALTH AND SAFETY OF RESIDENTS, CHILDREN, BUSINESSES AND PROPERTIES IN THE AREA.
2. WE HAVE SERIOUS CONCERNS ABOUT THE POSSIBILITY OF ACCIDENTS OR SPILLS CAUSING POSSIBLE RISKS AND HARM TO THE PEOPLE OF THE AREA WHO USE THE AREA, i.e. SCHOOL CHILDREN FROM SEVERAL SCHOOLS, SHOPPERS, BINGO PARTICIPANTS, EMPLOYEES OF BUSINESSES, COMPANIES AND STORES, RESIDENTS OF THE HOMES, APARTMENTS AND NURSING HOMES IN THE AREA.
3. ACCIDENTS OR SPILLS COULD RESULT FROM THE EXPANDED PLANT'S ACTIVITY ON SITE OR AN OUTSIDE ACCIDENT IMPINGING ON THE NEIGHBOURHOOD, i.e. A BUSY RAILWAY CARRYING POTENTIALLY COMBUSTIBLE MATERIAL, THE PROXIMITY OF HIGHWAY 403, THE BUSY MAIN STREETS. THIS MIGHT CREATE AN EMERGENCY SITUATION REQUIRING DISASTER MANAGEMENT.
4. AN EXPANSION OF CHEMICALS RECEIVED, STORED AND PROCESSED COULD LEAD TO AIR, GROUND, WATER (HARBOUR) AND NOISE POLLUTION.



- 75% of the waste is reported to be household waste i.e. paints, oils, solvents, cleaners
- We would like to know what the other 25% consist of.
- There will be 280 tonnes of waste materials stored for up to 180 days on site.
- Increased danger of trucks bringing "industrial waste" on our streets, bringing it in and shipping it out.
- The site is inappropriate in location and size for such an operation. $\frac{7}{8}$ of an acre / 0.34 hectares.
- The location could possibly put everyone within the local vicinity at risk - an operation like this is a potential "time bomb" just waiting for human error.
- The proposed activities for the Certificate of Approval are not consistent with City of Hamilton Official Plan policy in terms of encouraging light industrial type land uses in this area.

**Appendix "F" as referred to
in Section 47 of the Sixteenth
Report of the Transport and
Environment Committee for 1996**

SEWER STREET TREE POLICY

SEWER CLEANING	When the City receives complaints from a property owner regarding City tree roots impairing the operation of the property owner's sewer, it will be the property owner's responsibility to contact a sewer contractor to clean out the property owner's sewer. The sewer contractor will advise the property owner and the City by way of a signed invoice indicating the exact cause of the blockage.
BLOCKAGE BY TREE ROOTS	If it is determined that the sewer blockage was caused by the roots of a City tree, the City will assume 100% of the cost of the clean out.
BLOCKAGE OTHER THAN TREE ROOTS	If it is determined that the blockage was not caused by the roots of a City tree, the total cost for the clean out will be assumed by the property owner.
THOROUGH CLEANING	Upon receipt of the property owner's first invoice for consideration of payment, staff will investigate the property owner's claim. For example, if it is determined that the sewer lateral is a diameter of six (6) inches and a smaller diameter cutter was used to clear the property owner's sewer line, the City will respond with a letter advising the property owner that a thorough cleaning with a six (6) inch cutter must be completed and that if a proper cleaning is not completed, the City of Hamilton will not be obliged to pay further clean out invoices or any repair invoices for the property owner's sewer line where the above format has not been followed.
ITEMS NOT REIMBURSED BY CITY OF HAMILTON	The City of Hamilton will not reimburse the cost of the following: videos of the sewer, rental invoices, installation of cleanouts, warranties and purchase of drain cleaner.
50/50 COST SHARE SEWER LATERAL	If a sewer clean out is required twice or more in one year, as the result of City tree roots, the Commissioner of Public Works & Traffic will discuss the situation with the property owner and a decision will be made by the Commissioner of Public Works & Traffic to cost share 50/50 either the removal of the tree and/or replacement of that portion of the sewer line affected by tree roots. The replacement sewer line must meet Region of Hamilton-Wentworth Specifications and a permit must be obtained prior to construction.

**Blockage on
Road Allowance**

A. If there is a blockage caused by settlement or a collapsed or broken sewer line, the Regional Municipality of Hamilton-Wentworth will pay 100% of the cost to repair the sewer line, regardless of whether or not tree roots are present.

B. If there is a blockage caused by tree roots, then arrangements will be made to cost share 50/50 for the removal of the blockage.

Upon discussion with the property owner, the Commissioner of Public Works & Traffic has the option to continue with a scheduled sewer clean out program; the City will assume 100% of the cost of the clean out.

PROPERTY DAMAGE Property damage as a result of tree roots other than sewer lateral damage shall be dealt with through the claims process.

TREE REMOVAL As per By-Law 92-155 Subsection 5.(1) the Commissioner may authorize the removal of any public tree when it is considered necessary in the public interest. If it is determined that for one reason or another tree roots may be seriously impairing the use of the sewer line making it impossible to clean out or causing other property damage then the Commissioner will discuss options with the property owner to remove the offending tree thereby providing a permanent solution and removing any liability for future repairs from the City of Hamilton.

NOTE: Shadow indicates new items.

REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Parks and Recreation Committee presents its **SIXTEENTH** Report for 1996 and respectfully recommends:

1. That the City of Hamilton Special Events Guidelines approved by City Council on 1996 January 30 be amended by deleting Section 14 of the Bayfront Park Site Specific Guidelines and inserting the following:

Subject to Council approval, an event organizer may utilize a portion of the Park for public access on an admission fee basis, said park area to exclude the boat launch and adjacent car/trailer storage area, perimeter recreational trail and beach unless safety dictates restrictions to public access to these areas. i.e. power boat races and staging of fireworks celebrations.

2. (a) That approval, as required by By-law No. 95-126, Sections 5 and 35, be granted to the following Community Councils to conduct horse drawn wagon rides, bonfires, skating parties, Lumberjack Games/Demonstrations and various large Winterfest Family activities on the dates listed below:

<u>Community Council</u>	<u>Date/97</u>	<u>Location</u>
North Central	February 1	North Central Park
Friends of Gage Park	February 1	Gage Park
Gourley Park	February 1	Gourley Park
Gilkson Park	February 1	Gilkson Park
Riverdale	February 2	Warden Park
St. Clair	February 2	Myrtle Park
Eleanor	February 2	Eleanor Park
Strathcona	February 2	Victoria Park; and,

- (b) That approval be granted to Big "A" Amusement Ltd. to hold midway rides in the Leander Boat Club parking lot on 1997 February 7 to February 9, as part of the Winterfest Carnival subject to the following terms and conditions:

- (i) That proof of insurance be provided in the amount of \$5 million for Comprehensive General Liability, Property Damage and Bodily Injury, subject to cross-liability and severability provisions, naming the City as additional insured; and,
 - (ii) That the applicant assume responsibility for all labour charges associated with the event (set-up, dismantling, clean-up, etc); and,
 - (iii) That Special Duty Officers, as deemed necessary by the Hamilton Wentworth Regional Police be provided at the applicant's expense; and,
 - (iv) A site plan of the area to be submitted thirty days prior to event; and,
 - (c) That permission be granted as required by Parks By-law No. 95-126 Section 5, 12 (a) and Section 35 to hold a fireworks display, bonfires, and bring animals into Chedoke Winter Sports Park, Pier 4 Park on 1997 February 7 to 9.
3. (a) That the development of T. B. McQuesten Park on Upper Wentworth Street as a Community Park, as per the development concept dated July 1994 attached hereto as Appendix "A", be approved for construction; and,
- (b) That staff prepare a current budget allocation for inclusion in the Parks Division current budget commencing in 1998 to undertake maintenance of the fully developed 12.75 ha site.
4. That City Council receive the following information:

The Parks and Recreation Committee at its meeting held 1996 December 3 appointed Shelagh Snider and Marvin Ryder to serve on the Arts Advisory Commission for a term to expire 1997 November 30.

5. (a) That the City of Hamilton enter into a Licence Agreement with The Ontario Housing Corporation (OHC) for the use of their lands for recreational purposes forming part of the Red Hill Valley Trail System, located at No. 2 Oriole Crescent, Hamilton, more particularly described as that part of Block "B", part Woodward Avenue (closed by Judge's order Instrument No. 61766 A.B.), Registered Plan 876, in the City of Hamilton, more specifically described as Part 1 on Plan RC-H-421 Surveys, the trail being 3 metres (10 feet) more or less, in width and having a length of 144 metres (482.4 feet) more or less, across the OHC lands, comprising a total area of 432.7 square metres (4,657.7 square feet) more or less, and that the payment of this agreement of \$1 be charged to Account No. CF639553028 (Red Hill Valley Trail); and,
- (b) That the Agreement be subject to the following terms:
- (i) all costs for construction, maintenance and repair of the trail works be at no cost to the OHC; and,
- (ii) the agreement, all or in part, be able to be terminated upon sixty (60) calendar days written notice from the City; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents in a form satisfactory to the City Solicitor.
6. That the following Bill be adopted, signed, sealed and enrolled as a By-law:
- B-4 A By-law to Amend Cemeteries By-law No. 8861 Respecting Revised Tariff of Charges

Respectfully Submitted,

**ALDERMAN F. EISENBERGER, CHAIRMAN
PARKS AND RECREATION COMMITTEE**

Kevin C. Christenson, Secretary

1996 December 3rd

REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Planning and Development Committee presents its **TWENTIETH** Report for 1996 and respectfully recommends:

1. (a) That approval be given to Application CD-96-002, under the Rental Housing Protection Act, Jose da Silva, owner, for conversion of 16 rental row houses to condominium units for the property located at 914 Mohawk Road East, subject to the following conditions:
 - (i) That the Owner offer, in writing, to the Tenants residing at the premises on the date of Council's approval, the right to lease their current unit, noted in APPENDIX "A", for a period of not less than seven years from the registration on title of the Rental Housing Protection Act (RHPA) Approval Agreement required below, at the rent rate set out in APPENDIX "A", upon the following minimum terms:
 1. the Offer shall be open for acceptance by the Tenants for a period of 30 days from the date the Offer is sent;
 2. the City will send the Offer, by registered mail, to the tenants residing at the premises as of the date of Council approval of the Rental Housing Protection Act application, immediately following the expiration of the appeal period of the Council approval;
 3. that leases entered into as a result of (i) and (ii) above, be executed prior to the City's execution of the RHPA Approval Agreement;
 4. that the Tenants' rent shall not be increased during the duration of the lease but for increases permitted under the Residential Rent Regulation Act, as amended;
 5. that such lease shall commence on the date the Owner's Offer is accepted by signature of the Tenant; and,
 6. that the Tenants' may terminate the said lease at any time on 60 days written notice, without penalty.
 - (ii) That the Owner grant to the Tenants named in APPENDIX "A" an Option to Purchase a Unit specified in APPENDIX "A", (together with

appurtenant interests). Such Option shall allow each tenant at least seven years from the registration on title of the RHPA Approval Agreement to exercise their Option to purchase a unit. Within forty-five (45) days of a Tenant's Notice that it is exercising the Option, the Owner and Tenant shall negotiate and enter into an Agreement of Purchase and Sale form, in a form acceptable to the Hamilton Real Estate Board, with the necessary amendments for the sale of a Unit by the Owner;

- (iii)
 - 1. That the City send by registered mail to the tenants residing at the premises as of the date of the Council approval of the RHPA application, the Option to Purchase details set by City Council; and,
 - 2. That the notice indicated in section (i) above shall be sent immediately following the expiration of the appeal period of the Council approval; and,
 - 3. That the tenants noted in (i) above shall be given 30 days from the date of the letter sent by the City to notify the City whether they are or are not interested in further considering the option.
- (iv) That this RHPA approval shall cease and be at an end,
 - 1. if the Owner has sold the land without entering and registering the RHPA Approval Agreement with the City; and,
 - 2. in any event, within five years from the date of this approval resolution of Council, unless the Owner has prior to such date, registered a Plan of Condominium in accordance with the applicable legislation and any conditions imposed by the City of Hamilton;
- (v) That the Owner shall enter into a RHPA Approval Agreement with the City satisfactory in form to the Director of Planning and Development and to the City Solicitor, incorporating the City's conditions of approval listed herein (and in APPENDICES "A", "B" and "C" annexed hereto) and register such Agreement on title to the subject property prior to the issuance of the RHPA Certificate of Approval;
- (vi) In the event that the Owner proposes to sell all of the subject lands, he/she shall ensure that any prospective new land owner of the whole property, enters into an assumption agreement to assume the obligations of the Owner herein;

- (vii) That the Owner provide the City Solicitor and the Director of Planning and Development with satisfactory evidence that any and all mortgagees of the property consent to the Rental Housing Protection Act (RHPA) application; and,
 - (viii) That the Owner pay all outstanding taxes owing to the City before the issuance of the RHPA Certificate of Approval.
 - (b) That upon satisfaction of the above-noted conditions, the City Clerk be authorized to execute the Certificate of Approval in a form satisfactory to the City Solicitor.
2. (a) That approval be given to application SAC-96-03 (Regional File No. 25T-96007), Gus and Mike Holdings, owner, to establish a draft plan of subdivision "Orchards North Addition", for lands located south of the proposed mountain freeway and west of West Fifth Street and north of Chester Avenue, comprising of 6 lots for single detached dwellings and 18 blocks to be developed in conjunction with the addition draft approved plans of subdivision, subject to the following conditions:
- (i) That this approval apply to the plan, as revised in red, prepared by A.J. Clarke and Associates and certified by B.J. Clarke, O.L.S., dated September 24, 1996, showing 6 lots for single detached dwellings, 18 blocks to be developed in conjunction with adjacent lands (Blocks 11 - 29 inclusive), and to establish the extension of Annabelle Street and Chesley Street (see attached APPENDIX "D");
 - (ii) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth;
 - (iii) That the Owner prepare and submit, to the satisfaction of the Director of Planning and Development, a municipal street numbering plan;
 - (iv) That the owner shall erect a sign in accordance with Section XI of the subsequent agreement, prior to the issuance of a final release by the City of Hamilton;
 - (v) That the final plan conform with the Zoning By-law approved under the Planning Act;
 - (vi) That the Owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block and the gross area of the subdivision in the final plan;

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- (vii) That the proposed plan of Subdivision not be registered until the holding provision in the Zoning By-law has been removed;
- (viii) That the Owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City of Hamilton for park purposes;
- (ix) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority;
- (x) That Blocks 7 - 21 inclusive must be developed in conjunction with the adjacent lands;
- (xi) That the lot layout on the draft plan be revised to correspond to the Gourley Neighbourhood Approved Plan.
- (xii) That Lots 1 and 2 not be developed until Chesley Street is established and constructed to the south limit of the subject lands.
- (xiii) That the owner acquire the necessary lands to establish the road allowance adjacent to Lots 3 and 4 to its full width of 20.0m and that these lands be dedicated to the City of Hamilton as public highway.
- (xiv) That Lots 3 to 5 inclusive, not be developed until the external public street access ("Future Street") is provided through the lands to the north ("Fontana Gardens") or southerly to Chester Avenue.
- (xv) That Lot 6 not be developed until Annabelle Street is established and constructed to the south limits of the subject lands.
- (xvi) That the final alignment of the reverse curve adjacent to Lots 3, 4, 5 and Blocks 15, 17 and 18 on the "Future Street" be established with a centreline radius of 200m and separated by a tangent of 30m.
- (xvii) That the owner establish 0.30m reserves at the dead ends and open sides of all road allowances created by this plan of subdivision.
- (xviii) That the owner be required to enter into a subdivision agreement with the City of Hamilton prior to the development of any portion of these lands to satisfy all requirements, financial or otherwise of the City of Hamilton.
- (xix) That the owner agree in writing to satisfy all requirements, financial and otherwise, of the City of Hamilton;

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- (b) That the Subdivision Agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Regional Municipality of Hamilton-Wentworth with respect to this application (25T-96007), Gus and Mike Holdings, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council;
 - (c) That the City Clerk be directed to advise the Regional Commissioner of Environment of Council's decision.
3. (a) That, staff from the Public Works and Traffic Department be directed to implement centre boulevards and limited sidewalk widenings on Barton Street between Leeming Street and East Avenue North at a total cost of \$230,000, the capital cost of which is funded 100% through Provincial monies, while the current budget impact is estimated at +\$35,000 and has been forwarded to Management Team's Capital Budget Sub-Committee for consideration in the 1997-2006 Capital Budget Submission.
- (b) That, staff from the Public Works and Traffic Department be directed to proceed with detailed drawings for tender purposes as well as seek approval from the Transportation Services Committee for the realignment of Barton Street within the project area, since Barton Street is a Regional Road.
4. That the By-Law to Regulate Mobile Signs on Private Property as presented to the Planning and Development Committee on 1996 July 3, be approved as amended to delete prohibition of third party signs.
5. (a) That the 1997 operating budget of the Concession Street B.I.A. (attached as APPENDIX "E") be approved in the amount of ten thousand, one hundred dollars \$10,100; and,
- (b) That the City Treasurer be hereby authorized and directed to prepare the requisite By-law pursuant to Section 220, the Municipal Act, R.S.O. 1990, to levy the 1997 budget as referenced in (1) above; and,
- (c) That the following Schedule of Payments for 1997 be approved.

January 01	\$2,525
March 01	\$2,525
June 01	\$2,525
September 01	\$2,525

NOTE: 1996 levy arrears will be deducted from the payments for 1997.

6. (a) That the City of Hamilton accept the lot grading for Lot 13, #26 Caswell Drive, Almas Gardens - Phase 5, Registered Plan No. 62M-611, and that the subdivider, DiCenzo Construction Co. Ltd. and Sunshine Homes Inc. be relieved of any further obligations under Section VIII of the City of Hamilton Subdivision Agreement for Almas Gardens - Phase 5.
- (b) That the City Treasurer be authorized and directed to release the balance of \$20,000 being held as a security for the lot grading in Almas Gardens - Phase 5.
7. (a) That Schedule "B" of By-law No.96-195 appointing the Ottawa Street B.I.A. Board of Management be repealed and the following names substituted:

Gord Culshaw	Culshaw Cakes
Mary Keir	Surplus Plus
John Gut	Textile Centre
Tony Bifano	Anton Video
Greta Munt	Greta's Flair
Rosemary Young	Wentworth Paints
Daniel Kwiatkowski	Beach Road Meats
Toby Yull	Toby's Interior Design
- (b) That the City Solicitor be authorized and directed to amend By-law No.96-195 pursuant to (1.) above.
8. That the Building Commissioner be authorized to issue a demolition permit for 571 Kenilworth Avenue North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
9. That the Building Commissioner be authorized to issue a demolition permit for 56 Crosthwaite Avenue North in accordance with By-Law 74-290 pursuant to Section 33 of The Planning Act, as amended.
10. (a) That approval be given to Zoning Application ZAR-94-28, 859778 Ontario Inc. (D. Carnicelli), owner, requesting removal of the "H" - Holding provision under Section 36 of the Planning Act to permit commercial development, for property located at No. 1425 and 1429 Upper James Street, as shown on the attached map marked as APPENDIX "F". The "H" - Holding provision was placed on the subject lands until such time as the applicant/owner applies for and receives approval of a Site Plan Control application incorporating the subject lands with the lands to the south and east.

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- (b) That the Director of Planning be directed to prepare a By-law to amend Zoning By-law No. 6593, as amended by By-law No. 91-175, and Zoning District Map E-9C and E-9D, in a form satisfactory to the City Solicitor, for presentation to City Council.
11. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
- (a) C-69 A By-law to amend Zoning By-law No. 6593 as amended by Zoning By-law No. 91-175 respecting lands located at 1425 and 1429 Upper James Street.
 - (b) C-70 A By-law to Regulate the Size, Use, Location, and Maintenance of Mobile Signs on Private Property within the City of Hamilton.

Respectfully submitted,

**ALDERMAN D. DRURY, CHAIRPERSON
PLANNING AND DEVELOPMENT COMMITTEE**

**Tina Agnello, Secretary
1996 December 4**

MONTHLY RENTAL CHARGES AS OF JULY 22, 1996

<u>914 Mohawk Road East</u>		Unit 08	914 Mohawk Road East Unit 08 Hamilton, Ontario L8T 2R8 Rent: \$578.00
Unit 01	914 Mohawk Road East Unit 01 Hamilton, Ontario L8T 2R8 Rent: \$598.00	Unit 09	914 Mohawk Road East Unit 09 Hamilton, Ontario L8T 2R8 Rent: \$590.00
Unit 02	914 Mohawk Road East Unit 02 Hamilton, Ontario L8T 2R8 Rent: \$584.00	Unit 10	914 Mohawk Road East Unit 10 Hamilton, Ontario L8T 2R8 Rent: \$598.00
Unit 03	914 Mohawk Road East Unit 03 Hamilton, Ontario L8T 2R8 Rent: \$611.00	Unit 11	914 Mohawk Road East Unit 11 Hamilton, Ontario L8T 2R8 Rent: \$561.00
Unit 04	914 Mohawk Road East Unit 04 Hamilton, Ontario L8T 2R8 Rent: \$584.00	Unit 12	914 Mohawk Road East Unit 12 Hamilton, Ontario L8T 2R8 Rent: \$598.00
Unit 05	914 Mohawk Road East Unit 05 Hamilton, Ontario L8T 2R8 Rent: \$598.00	Unit 14	914 Mohawk Road East Unit 14 Hamilton, Ontario L8T 2R8 Rent: \$590.00
Unit 06	914 Mohawk Road East Unit 06 Hamilton, Ontario L8T 2R8 Rent: \$598.00	Unit 15	914 Mohawk Road East Unit 15 Hamilton, Ontario L8T 2R8 Rent: \$584.00
Unit 07	914 Mohawk Road East Unit 07 Hamilton, Ontario L8T 2R8 Rent: \$598.00		

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Unit 16 914 Mohawk Road East
Unit 16
Hamilton, Ontario
L8T 2R8

Rent: \$590.00

Unit 17 914 Mohawk Road East
Unit 17
Hamilton, Ontario
L8T 2R8

Rent: \$598.00

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The Agreement of Purchase and Sale shall provide:

- (a) that the sale shall be completed within One Hundred and Twenty (120) days of execution of the agreement, unless otherwise agreed by the Tenant and Owner; and,
- (b) that the purchase price for a Unit be the price agreed upon between the Owner and the Tenant which price shall not exceed the dollar value assigned to the Unit by an accredited appraiser of real property less:
 - i) \$3,500.00 or 5.0 percent of the appraised dollar value of the Unit, whichever is greater; and,
 - ii) 25.0 percent of the total rental payments made by the Tenant in the preceding 12-month period prior to the date the Agreement of Purchase and Sale is executed between the Tenant and the Owner.

The aforementioned accredited appraiser of real property shall be retained at the expense of the owner and the appraisal of the unit shall be conducted within 21 days of the Tenant exercising their Option to purchase a unit.

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Appendix "C" referred to in
Section 1. of the TWENTIETH
Report of the Planning and
Development Committee for 199

APPENDIX "C"

The conditions of RHPA approval are subject to the following standard terms, which terms shall form part of the applicable document:

- (a) The following documents, namely the RHPA Approval Agreement, the leases and the Options to purchase shall be prepared by the Owner and registered by the Owner at his/her expense, including payment of registration fees.
- (b) If the Tenant at any time vacates their rental unit, the Tenant's rights pursuant to lease and the Option to Purchase shall cease. The Tenant may not enter into an Agreement of Purchase and Sale unless the Tenant is at the time of its execution in possession of a rental unit.
- (c) The Tenant's rights under the RHPA Approval Agreement, the lease, and the Option to Purchase shall be personal to the named Tenant(s) only and not assignable by the Tenant(s) to anyone, unless approved by the owner, in the owners absolute discretion.



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Appendix "E" referred to in
Section 5. of the TWENTIETH
Report of the Planning and
Development Committee for 1996

**CONCESSION STREET BUSINESS IMPROVEMENT AREA
PROPOSED BUDGET FOR 1997**

EXPENSES

ADVERTISING AND PROMOTION	\$ 2,800.
HYDRO-CHRISTMAS LIGHTS	\$ 800.
ADVERTISING AND PROMOTION & NEWSLETTER	\$ 6,000.

ADMINISTRATION

INSURANCE	\$ 750.
ACCOUNTING	\$ 350.

MISCELLANEOUS	\$ 400.
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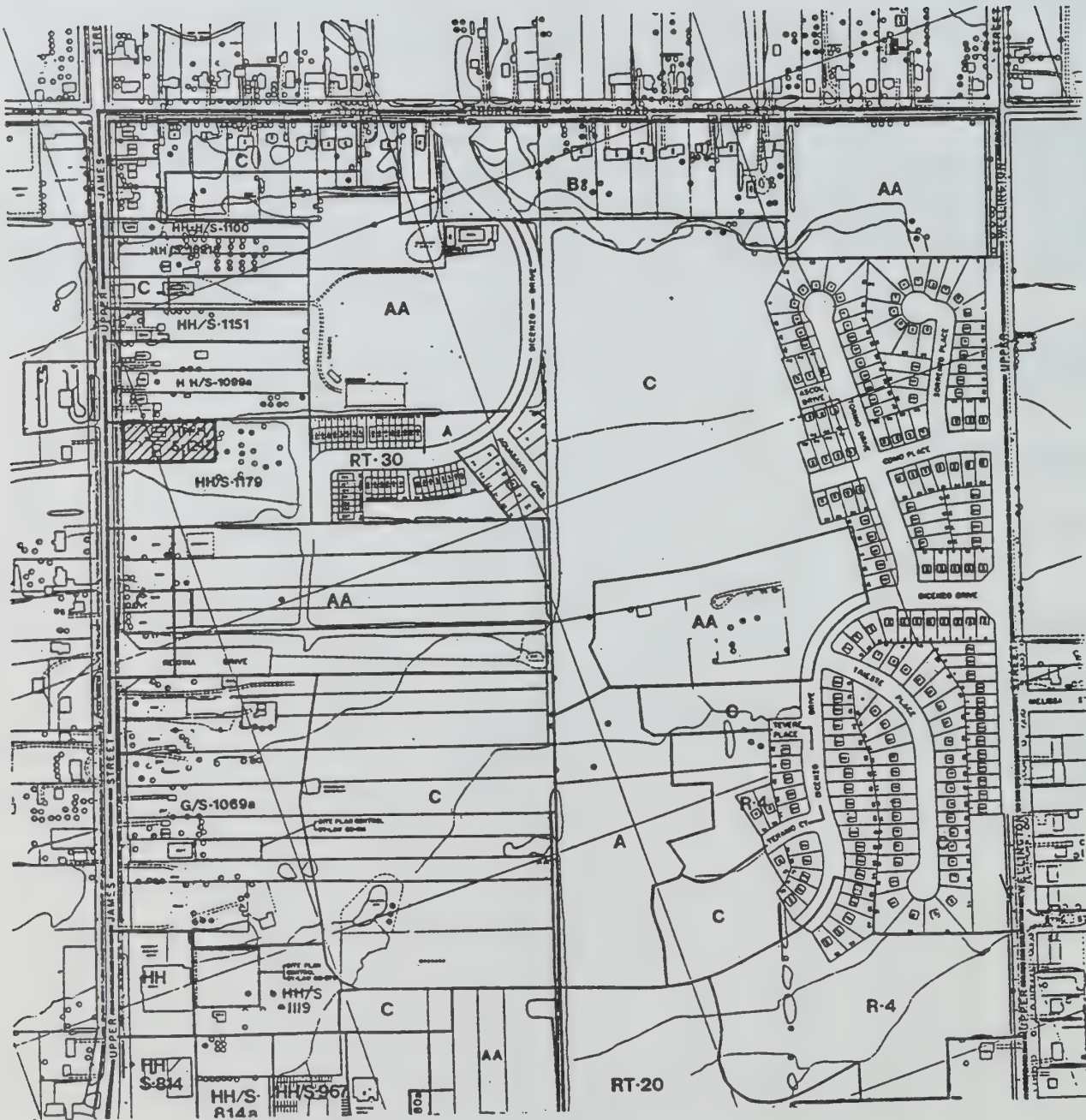
TOTAL	\$11,100.
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INCOME

BIA TAX LEVIES	\$10,100.
CITY OF HAMILTON GRANT FOR CHRISTMAS DECORATIONS	\$ 1,000.
TOTAL	\$11,100.

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Appendix "F" referred to in
Section 10. of the TWENTIETH
Report of the Planning and
Development Committee for 1996.



Legend



Site of the Application



ZAR-94-28

REPORT OF THE FINANCE AND ADMINISTRATION COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Finance and Administration Committee presents its **TWENTIETH** Report for 1996 and respectfully recommends:

1. (a) That approval be given for the City Treasurer to receive payments from the Firan Corporation, as donations towards Hamilton's Sesquicentennial Celebrations; and,

(b) That the City Treasurer be authorized to grant these contributions received to Hamilton Sesquicentennial Celebrations Inc.
2. That the listing of Appointments to and Terminations From Permanent Positions with the Corporation of the City of Hamilton to 1996 November 22, attached herewith and marked Appendix "A", be approved.
3. That the cost to complete the Ontario Municipal Board hearing concerning Rental Housing Protection Act Application CU-93-001 and Zoning Application 93-32, for 280 Weir Street North, up to a maximum amount of \$10,000 be financed by charging Account No. CH 24101-55406 Consultant Fees.
4. That the Hamilton Public Library Board be allowed to spend up to \$60,000 of its anticipated 1996 Operating Budget surplus in a manner which is different from its budget estimates, namely; that a buy-out package of \$45,000 be presented to the non-union Personnel Clerk and that up to \$15,000 be spent on the capital costs required to eliminate the personnel reception point and to create an area so that the clerical services of Administration/Personnel/Business can be pooled.
5. (a) That the City resolve Ontario Court (General Division) Small Claims Court Action No. 7747/96 by the payment to the Plaintiff, Juan C. Crespo, of the sum of \$500 inclusive of all damages, interest and costs; and,

(b) That the Plaintiff be required to execute a Full and Final Release in a form satisfactory to the City Solicitor; and,

- (c) That Ontario Court (General Division) Small Claims Court Action No. 7747/96 be dismissed without costs.
- 6. That outstanding business taxes in the amount of \$426,473.06 be written-off in accordance with Section 441 of the Municipal Act, R.S.O. 1990 and charged to account CH53401 24106, Tax Write-offs.
- 7. That outstanding Accounts Receivable in the amount of \$18,605.39 be written off and charged to Account CH 15401 00001.
- 8.
 - (a) That the City be authorized to temporarily borrow monies to meet current budget expenditures for 1997 pending receipt of current revenues; and,
 - (b) That the appropriate borrowing by-law be approved.
- 9. That the "Development Charge Reserve Fund Statement of Continuity" for the year 1995 which was approved by City Council on 1996 August 27 (Section 25 of the Fourteenth Report for 1996 of the Finance and Administration Committee) be revised, as indicated on Appendix "B" herewith attached.
- 10.
 - (a) That the City consent to the exemption of the Art Gallery of Hamilton pursuant to s.3 paragraph 16 of the Assessment Act RSO 1990; and,
 - (b) That the City Solicitor investigate the options and means available to the City to achieve this status.
- 11.
 - (a) That an Offer to Purchase Agreement, duly executed by Mark Pillinini on 1996 November 21 and scheduled to close on or before 1997 April 15, for the lands municipally described as 8-10 Brantdale Avenue, being part of Lots 14 and 15, Block C, Registered Plan No. 279, Hamilton, having a frontage of 18.47 metres (60.60 feet) more or less, along the north side of Brantdale Avenue and a depth of 30.48 metres (100.0 feet) more or less, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of \$51,000 be credited to Account Centre 00202 (Parking Authority Offstreet Reserve); and,

- (b) That the required deposit cheque in the amount of \$5,100 be held by the City Treasurer pending Council approval; and,
- (c) That the Offer to Purchase be conditional upon certain matters, in addition to the standard conditions contained on the City's Offer to Purchase form, in particular paragraphs 16 and 17;

- (i) 16. It is understood and agreed that this Offer to Purchase is conditional upon a City By-Law being approved and passed to rezone the subject lands from "G-3" to a zoning district which will permit the development of the property for two single family detached dwellings and/or two semi-detached dwellings, in accordance with the requirements of the Planning Act, R.S.O. 1990. Further, if the above-noted by-law is approved and passed to rezone the subject property, this Offer to Purchase is conditional upon there being no appeal of the City's decision to the Ontario Municipal Board within the time period allotted for appeals, pursuant to the Planning Act, and the rezoning therefore being final and binding; and,

In the event the above condition is not met prior to the 14th day of 1997 March, then this Offer to Purchase shall be null and void and the deposit returned to the Purchaser without interest; and,

- 17. Provided the rezoning referred to in paragraph 16 is obtained, the Vendor shall, at its own expense, prepare and register a reference plan of the subject property severing the property into two separate lots (the most westerly having an even width from front to rear of 30.6 feet and the easterly having an even width from front to rear of 30.0 feet). The property shall be sold to the Purchaser as two separate lots.

- (ii) In paragraph 19, the Purchaser acknowledges the selling price is net of various governmental charges such as development charges, local improvement charges, building permit fees, fees for connections of water and sewer lines, cost of a Lot Grading Agreement, etc; and,
- (d) That with respect to the condition noted in (c)(i) above, the Property Department initiated a rezoning application on 1996 September 27, to permit the development of either two single or semi-detached dwellings. Subsequently the Planning Department advised that the proposed zoning district is "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) Modified; and,

- (e) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
 - (f) That in accordance with Real Property Sales Procedural By-law No. 95-049:
 - (i) Satisfactory notice has been given to the public of the intended sale; and,
 - (ii) An appraisal of the fair market value of the real property intended to be sold was obtained on the 13th day of August 1996; and,
 - (iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
12. (a) That approval be given to issue a purchase order to Black & McDonald Limited, Stoney Creek, Ontario in the amount of \$112,880.72 per year inclusive of (\$7,384.72 GST) for mechanical maintenance of refrigeration ice making equipment in (10) city owned arenas during 1997, 1998 and 1999, this being the lowest tender received in accordance with specifications issued by the Purchasing Division (Ref: C14-20-96.); and,
- (b) That this expenditure be financed from the Current Budget Accounts CH 56380 31136 Refrigeration Contract, Recreation Buildings and CH 56380 31137 Refrigeration Contract, Twin Pad Arena; and,
- (c) That the Mayor and City Clerk be authorized and directed to execute an agreement in a form satisfactory to the City Solicitor.
13. (a) That an Offer to Purchase Agreement, duly executed by Ratko Radisic, on 1996 November 22 and scheduled to close on or before 1997 January 16, for the lands municipally described as 411-413 Britannia Avenue, being all of Lot 186 on the east side of Weir Street North, having a frontage of 7.62 metres (25 feet) more or less, in the Fairchild Survey Plan 502, City of Hamilton, be approved and completed as the requirements in the Municipal Act pursuant to the City's Real Property Procedural By-law No. 95-049 enacted on 1995 February 14 have been fulfilled by the City, and funds derived from this sale of \$30,000 be credited to Account Number 4X501 00102 (Reserve for Property Purchases); and,

- (b) That the required deposit cheque in the amount of \$3,000 be held by the City Treasurer pending Council approval; and,
 - (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documents; and,
 - (d) That in accordance with the Real Property Sales Procedural By-law No. 95-049:
 - (i) Satisfactory Notice has been given to the public of the intended sale; and,
 - (ii) An appraisal of the fair market value of the real property intended to be sold was obtained on the 6th day of September 1996; and,
 - (iii) The City Clerk be authorized and directed to execute (and issue) a Certificate of Compliance in the form prescribed pursuant to Section 193 of the Municipal Act.
14. That the Director of Property be authorized to call for Tenders for the Lease of five (5) locations throughout the City for the placement of outdoor advertising billboards for a three (3) year period.
15. (a) That the City of Hamilton participate in the Hamilton-Wentworth Information Network (HWIN) telecommunications project to provide a fibre optic link between downtown Hamilton and McMaster University provided that the HWIN grant request to the Ministry of Economic Development for the capital construction cost of the fibre optic link is successful; and,
- (b) That the estimated annual cost (\$2,000) of the City's share of maintenance of the fibre optic link be financed within the existing Information Systems budget; and,
- (c) That the Mayor and City Clerk be authorized to execute any subsequent agreement between the HWIN partners that provides for the maintenance of the fibre link service; and,
- (d) That the agreement be in a form satisfactory to the City Solicitor.

16. (a) That the Chief Administrative Officer be authorized and directed to take the necessary steps to post and advertise the position of Fire Chief consistent with the Selection Procedure adopted by City Council on 1982 January 26; and,
 - (b) That a Staff Committee comprised of the Chief Administrative Officer, two members of the Corporate Management Team and a Fire Chief from a similarly sized municipality review all applications received and make recommendations to the Selection Committee for interviewing; and,
 - (c) That a Selection Committee comprised of the Mayor, Chairman of the Finance and Administration Committee, Vice Chairman of the Finance and Administration Committee and two members of the Finance and Administration Committee be formed to consider the applications for interviewing and recommend a candidate to Council.
-
17. That the following Bills be adopted, signed, sealed and enrolled as By-laws:
 - (a) D-62 A By-law to Authorize the Temporary Borrowing of Monies to meet Current Expenditures pending Receipt of Current Revenues.
 - (b) D-63 A By-law to Confirm the Proceedings of the Council of The Corporation of the City of Hamilton.

Respectfully submitted,

**ALDERMAN B. CHARTERS, CHAIRMAN
FINANCE AND ADMINISTRATION COMMITTEE**

Susan K. Reeder
Secretary
1996 December 3

1996 December 10

Appendix "A" referred
to in Section 2 of the
TWENTIETH Report of
the Finance and
Administration
Committee for 1996.

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS TO PERMANENT POSITIONS

<u>NAME</u>	<u>STATUS</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>EFFECTIVE DATE</u>
Mr. Christopher Ridgewell	I	Sanitation Worker	Public Works & Traffic Services	Replacing Mr. T. Lacasse - transferred, Sept. 16/96	\$36,670.40	Oct. 15/96
Mr. Chris Roketta	I	Rink Attendant I	Historical Outdoor sports	New Position Council Approved August 27, 1996	\$36,780.64	Nov. 11/96

Prepared November 22, 1996

Status -
Internal - I
External - E

THE CORPORATION OF THE CITY OF HAMILTON
TERMINATIONS FROM PERMANENT POSITIONS

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Mark Antolich	Signs Markings Specialist	Public Works & Traffic	Resigned	1 year, 9 months	Nov. 08/96
Mr. Michael Atkinson	Platoon Chief	Fire	Retired	32 years, 2 months	Nov. 26/96
Mr. Douglas Downey	Lieutenant - Firefighter	Fire	Retired	35 years, 1 month	Nov. 28/96
Mr. Gary Forrester	Firefighter I	Fire	Retired	34 years, 6 months	Nov. 30/96
Mr. William Gibson	Firefighter I	Fire	Retired	34 years, 6 months	Nov. 28/96
Mr. Brian Kempton	Firefighter I	Fire	Retired	30 years, 1 month	Nov. 28/96
Mr. James Metham	Lieutenant - Firefighter	Fire	Retired	31 years, 11 months	Nov. 30/96
Mr. Ernest Mills	Lieutenant - Firefighter	Fire	Retired	30 years, 9 months	Nov. 26/96
Mr. Floriano Pereira	Greenskeeper II	Culture & Recreation	Retired	23 years, 5 months	Nov. 29/96
Mr. Carl Speight	District Chief	Fire	Retired	30 years, 1 months	Nov. 30/96
Mr. Gordon Talbot	Lieutenant - Firefighter	Fire	Retired	31 years, 1 month	Nov. 30/96
Mr. Albert Vandenakker	Platoon Chief	Fire	Retired	32 years, 2 months	Nov. 30/96

Prepared November 22, 1996

Glossary of Terms

Terminated -- long term disability
 -- discharge
 -- downsizing
 -- redundant

Resigned -- personal betterment
 -- personal reasons

1996 December 10

**Development Charge Reserve Fund
Statement of Continuity
Period January 01, 1995 to December 31, 1995**

	Total	Indoor Recreation	Outdoor Recreation	Library Buildings & Materials	Traffic Signals	Parkland Acquisition	Vehicles & Equipment	Studies	Engineering (area specific)	Storm Water Retention	Fire Stations
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Balance as at Jan. 01, 1995	\$6,030,634	\$1,742,843	\$951,621	\$659,889	\$87,718	\$0	\$0	\$0	\$1,718,889	\$0	\$869,674
Development charges received or receivable	\$823,914	\$219,798	\$138,364	\$86,002	\$13,657	\$20,586	\$5,379	\$108	\$221,692	\$0	\$118,328
Development charges refunded	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Interest earned	\$411,356	\$119,648	\$66,999	\$45,555	\$5,650	\$1,873	\$489	\$10	\$114,959	\$0	\$56,173
Transferred to the capital fund	\$7,265,904	\$2,082,289	\$1,156,984	\$791,446	\$107,025	\$22,459	\$5,868	\$118	\$2,055,540	\$0	\$1,044,175
	(\$15,000)	\$0	\$0	\$0	(\$15,000)	\$0	\$0	\$0	\$0	\$0	\$0
Amounts allocated:											
1) Services Through Unsubdivided Lands	(\$1,718,889)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	(\$1,718,889)	\$0	\$0
2) Reduction of growth-related debit charges	(\$600,000)	(\$348,569)	(\$99,116)	\$0	(\$18,946)	\$0	\$0	\$0	\$0	\$0	(\$133,369)
Balance as at December 31, 1995	\$4,932,015	\$1,733,720	\$1,057,868	\$791,446	\$73,079	\$22,459	\$5,868	\$118	\$336,651	\$0	\$910,806

Appendix "B" referred to in Section 9 of the TWENTIETH Report of the Finance and Administration Committee for 1996.

NOTICE OF MOTION
TABLED FROM PREVIOUS MEETING

NOTICE OF MOTION TABLED FROM PREVIOUS MEETING

November 26, 1996

"That Hamilton City Council endorse and approve the final "Memorandum of Negotiations", conducted with Gardner Church and agreed upon by the Negotiating Teams representing the City of Hamilton, the City of Stoney Creek, the Town of Ancaster and the Township of Glanbrook."

**MEETING OF THE COUNCIL
OF THE CORPORATION OF THE CITY OF HAMILTON**

**TUESDAY, 1996 DECEMBER 10
7:30 O'CLOCK P.M.
COUNCIL CHAMBER, CITY HALL**

B I L L S

BY-LAW NO. 96 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 10 (Stops at Intersections)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding thereto the following items, namely:-

"Appleblossom	Northbound and Southbound	Chester
Grosvenor	Northbound and Southbound	Montclair
Malton	Eastbound and Westbound	Christie
Janet	Westbound	Kenora
Kenora	Northbound and Southbound	Janet
Village	Eastbound	Fairington
Fairington	Northbound and Southbound	Village
Adorn	Northbound	Village
Village	Eastbound and Westbound	Adorn."

and by deleting the following item, namely:-

"Christie	Northbound and Southbound	Malton."
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2. **Schedule 12 (One Way Streets)** of said By-law is hereby amended by adding thereto the following item, namely:-

"Eastgate	Easterly	Fairington	Centennial."
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3. **Schedule 23 (Hamilton Street Railway)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Inbound	Macklin, 965 feet north of Dufferin (M/B)
Inbound	Macklin, 279 feet north of Dufferin (M/B)
Inbound	Longwood, 130 feet south of King (F/S)
Outbound	Anchor, 279 feet south of Bigwin (M/B)
Inbound	Bigwin, 545 feet west of Pritchard (M/B)
Inbound	Anchor, 91 feet south of Stone Church (N/S)."

and by deleting therefrom the following items, namely:-

"Inbound	Norwood at Bond
Inbound	Norwood at Longwood
Inbound	Longwood at Devon Place (FS)
Inbound	Longwood at King."

4. **Schedule 29 (No Stopping Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Ferguson	East	commencing 512 feet south of Barton and extending 262 feet southerly therefrom	Anytime
Ferguson	West	commencing 480 feet north of Cannon and extending 192 feet northerly therefrom	Anytime
Hurst	North	MacNab to Park	Anytime
East 36th	East	North end to 120 feet southerly	Anytime
East 36th	West	North end to 82 feet southerly	Anytime."

and by deleting therefrom the following item, namely:-

"Dalhousie	South	Ottawa to 144 feet west	Anytime."
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5. **Schedule 31 (School Bus Loading Zones)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Cranbrook	West	40 feet commencing 152 feet south of the south curb line of Greendale	7:00 a.m. - 6:00 p.m. Monday to Saturday
Laurier	South	40 feet commencing 88 feet west of Delmar	7:00 a.m. - 6:00 p.m. Monday to Saturday."

and by deleting therefrom the following item, namely:-

"Laurier	South	120 feet commencing at a point 315 feet east of Columbia	7:00 a.m. - 6:00 p.m. Monday to Saturday."
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6. **Schedule 35 (Wheelchair Loading Zones)** of said By-law is hereby amended by deleting therefrom the following items, namely:-

"Wood	East	24 feet 74 feet south of Burlington	10:00 a.m. - 8:00 p.m.
Oak	West	26 feet 208 feet north of Cannon	9:00 a.m. - 8:00 p.m.
Cranbrook	West	40 feet 152 feet south of the south curb line of Greendale	8:00 a.m. - 4:00 p.m. Monday to Friday."

PASSED this _____ day of _____ A.D. 1996.

CITY CLERK

MAYOR

BY-LAW NO. 96 -

TO AMEND BY-LAW NO. 89-72 TO REGULATE TRAFFIC

THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

TRAFFIC

1. **Schedule 24 (Parking Meter Locations)** of By-law 89-72 To Regulate Traffic passed on the 28th day of February 1989 is hereby amended by adding to **Part 3(b)** thereof, the following item, namely:-

"Robert	North	commencing 65 feet east of James and extending 36 feet easterly therefrom."
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2. **Schedule 25 (Parking Time Limits)** of said By-law is hereby amended by adding thereto the following items, namely:-

"West 34th	Both	Scenic to Angela	1hr	8 a.m. - 6 p.m. Mon - Fri
Wembley	South	Upper James to West 5th	1hr	8 a.m. - 8 p.m. Mon - Fri."

and by deleting therefrom the following item, namely:-

"Wembley	Both	Upper James to West 3rd	1 hr	8 a.m. - 6 p.m. Mon - Fri
Wembley	Both	West 3rd to West 5th	1 hr	8 a.m. - 6 p.m. Mon - Fri."

3. **Schedule 26 (No Parking Areas)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Robert	North	commencing at James and extending 65 feet easterly therefrom	Anytime
Robert	North	commencing 101 feet east of James and extending 65 feet easterly therefrom	Anytime
Ferguson	East	commencing at Cannon and extending 303 feet northerly therefrom	Anytime
Dalhousie	South	commencing at Ottawa and extending 144 feet westerly therefrom	Anytime
Hurst	South	MacNab to Park	Anytime
Fairleigh	East	King to Wilson	Anytime
Studholme	West	commencing 273 feet south of Aberdeen and extending 141 feet southerly therefrom	7 am - 8 pm Mon - Sun."

and by deleting therefrom the following items, namely:-

"Robert	North	James to 166 feet east	Anytime
Ferguson	East	Barton to Cannon	Anytime
Hurst	Both	MacNab to Park	Anytime."

5. **Schedule 34 (Sticker Permit Parking)** of said By-law is hereby amended by adding thereto the following items, namely:-

"Tisdale	West	commencing 186 feet north of the east/west leg of Tisdale and extending 14 feet northerly therefrom	Anytime
Keith	North	commencing 162 feet west of Douglas and extending 17 feet westerly therefrom	Anytime
Keith	South	commencing 172 feet west of Douglas and extending 20 feet westerly therefrom	Anytime
Paling	West	commencing 167 feet north of Vansitmart and extending 24 feet northerly therefrom	Anytime
John	East	commencing 58 feet north of Strachan and extending 25 feet northerly therefrom	Anytime
Robins	East	commencing 29 feet north of Sunnidale and extending 21 feet northerly therefrom	Anytime
Primrose	North	commencing 29 feet west of Cavell and extending 18 feet westerly therefrom	Anytime
Primrose	South	commencing 56 feet west of the west curb line of Cavell and extending 18 feet westerly therefrom	Anytime."

and by deleting therefrom the following items, namely:-

"Alanson	South	commencing at a point 95 feet west of the west curb line of Erie Avenue to a point 18 feet westerly	Anytime
Norway	West	commencing 24 feet north of Cumberland and extending 20 feet northerly therefrom	Anytime."

PASSED this

day of

A.D. 1996.

CITY CLERK

MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

**TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 & 2 ON PLAN 62R-13868
INTO BLOSSOM LANE**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Blossom Lane within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Blossom Lane.

Part of Lot 5, Registered Plan 943, designated as Parts 1 & 2 on Plan 62R-13868.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1996

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

TO INCORPORATE CITY LAND
DESIGNATED AS PART 2 ON PLAN 62R-13871
INTO SEDONA COURT

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Sedona Court within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Sedona Court.

Part of Lot 7, Concession 1 in the geographic Township of Glanford, designated as Part 2 on Plan 62R-13871.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1996

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

**TO INCORPORATE CITY LAND
DESIGNATED AS PART 2 ON PLAN 62R-13352
INTO QUEENSDALE AVENUE EAST**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Queensdale Avenue East within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Queensdale Avenue East.

Part of Park Lot 22, Registered Plan 296, designated as Part 2 on Plan 62R-13352.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1996

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 96-

**TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 3 & 5 ON PLAN 62R-13772
INTO BORDEAUX COURT**

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of The Corporation of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Bordeaux Court within its limits;

AND WHEREAS the said land is owned by The Corporation of the City of Hamilton.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The following land is hereby established and laid out as a public highway to form part of Bordeaux Court.

Part of Block 16 on Plan 62M-664 and Part of Lot 11, Concession 8 in the geographic Township of Barton, designated as Parts 5 & 3 on Plan 62R-13772 respectively.

City of Hamilton

Regional Municipality of Hamilton-Wentworth

2. The Commissioner of Transportation or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. This by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED this

day of

A.D. 1996

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend

By-law No. 86-77

**TO REGULATE USAGE OF HEDGES, SHRUBS
AND PLANT MATERIAL ON ROAD ALLOWANCES**

WHEREAS Subsection 308(3) of the Municipal Act, R.S.O. 1990, c. M.45, as amended, authorizes the council of every municipality to pass by-laws for placing or permitting any person under such conditions as may be agreed upon to place, construct, install, maintain, and use objects in, on, under or over highways under its jurisdiction, to permit any person to make, maintain and use areas under and openings in the highways, for prescribing the terms and conditions upon which the same are to be placed, constructed, installed, maintained or used and for making such annual or other charge for the privilege conferred by the by-law as it considers reasonable;

AND WHEREAS Subsection 314(1) of the Municipal Act, R.S.O. 1990, c. M.45 as amended authorizes the councils of all municipalities to pass by-laws for prohibiting or regulating the obstructing, encumbering, injuring or fouling of highways or bridges;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 9329 on the 9th day of May, 1961, being the Streets By-law, to regulate, among other things, the planting of trees and shrubs along the boulevards and road allowances in the City of Hamilton;

AND WHEREAS By-law No. 86-77 was enacted on the 25th day of February, 1986 to consolidate the Streets By-law No. 9329;

AND WHEREAS By-law No. 88-244 was passed on the 5th day of October, 1988 to amend By-law No. 86-77 on the planting of trees and shrubs on boulevards and the road allowance;

AND WHEREAS By-law No. 88-244 was repealed by By-law No. 92-155;

AND WHEREAS City Council, on July 9, 1996, in adopting Section 12 of the 10th Report of the Transport and Environment Committee authorized this By-law;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) Paragraph (d) of Section 1 of By-law No. 86-77 is amended by deleting paragraph (d) and substituting in lieu,
 - (d) "Director of Public Works" shall mean the "Commissioner of Public Works and Traffic".
- (2) Paragraph (e) of Section 1 of By-law No. 86-77 is further amended by deleting paragraph (e) and substituting in lieu,
 - (e) "Traffic Commissioner" shall mean the "Commissioner of Public Works and Traffic".

2. By-law No. 86-77 is amended by the addition of the following Section:

OWNERS OF LAND MAY PLANT HEDGES AND SHRUBS

5. (1) Hedges, shrubs and other plant material may be permitted on the boulevard of the highway provided that any such hedge, shrub or other plant material situated within the highway
 - (i) shall not create an obstruction to traffic using the highway;
 - (ii) shall be maintained by the owner of the land abutting the highway at not higher than 76 cm or 30 inches in height;
 - (iii) shall not overhang the sidewalk, shoulder or roadway;
 - (iv) shall maintain a minimum clearance of 0.6 metres or 2 feet from a fire hydrant, and
 - (v) shall not obstruct the view of a fire hydrant from the road.
- (2) Where an owner of land abutting a highway has planted a tree on the boulevard of a highway, the tree shall be pruned to the trunk for the first 2.4 metres or 8 feet by the Department of Public Works and Traffic.

PASSED this day of , 1996.

CITY CLERK

MAYOR

(1996) 10 R.T.E.C. 12, July 9

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend

Cemeteries By-law No. 8861

Respecting:

REVISED TARIFF OF CHARGES

WHEREAS By-law No. 8861, passed on the 12th day of January 1960, in accordance with the Cemeteries Act, established a tariff of charges;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section No. 13 of the 15th Report of the Parks and Recreation Committee on November 26, 1996, directed that By-law No. 8861, as amended, be further amended to provide for an increase in the tariff of charges for 1997.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. (a) By-law No. 8861, as amended by By-laws No. 74-303, 76-187, 76-337, 77-292, 78-276, 79-319, 80-229, 81-219, 83-42, 84-323, 84-268, 86-11, 87-22, 88-40, 88-274, 89-363, 90-16, 90-344, 92-185, By-law 93-019, By-law 93-245, By-law No. 95-048 and By-law No. 96-005 is further amended by deleting Schedule "A-1996" and substituting in lieu thereof Schedule "A-1997, hereto annexed and forming part of this by-law.

(b) In all other respects, By-law No. 8861, as amended, is hereby confirmed unchanged.
2. The Manager of Cemeteries is hereby authorized and directed to make application to the Minister of Consumer and Commercial Relations, Cemeteries Branch, for approval of this By-law.
3. This By-law comes into effect on January 1, 1997.

PASSED this day of , 1996.

CITY CLERK

MAYOR

SCHEDULE "A"

SCHEDULE OF USER FEES AND OTHER REVENUES

PUBLIC WORKS - CEMETERIES DIVISION

	1996				1997				% Increase Over 1996	
	Resident & Realty Taxpayers		Non-Residents		Resident & Realty Taxpayers		Non-Residents			
	Cost	G.S.T.	Total	Cost	G.S.T.	Total	Cost	G.S.T.		Total
BURIALS AND REMOVALS										
Opening and Closing										
- 6 ft. Adult	495.00	34.65	529.65	594.00	41.58	635.58	520.00	36.40	556.40	667.06
- 8 ft. Adult	666.00	46.62	712.62	771.00	53.97	824.97	699.00	48.93	747.93	866.70
- 6 ft. Child	76.00	5.32	81.32	92.00	6.44	98.44	76.00	5.32	81.32	98.44
- case up to 24"	161.00	11.27	172.27	193.00	13.51	206.51	161.00	11.27	172.27	206.51
- case 25" to 42"	235.00	16.45	251.45	282.00	19.74	301.74	235.00	16.45	251.45	301.74
- case 43" to 60"	306.00	21.42	327.42	366.00	25.62	391.62	306.00	21.42	327.42	391.62
- case 61" to 72"	273.00	19.11	292.11	328.00	22.96	350.96	273.00	19.11	292.11	350.96
- case up to 80"	327.00	22.89	349.89	392.00	27.44	419.44	327.00	22.89	349.89	419.44
- case 61" to 72"	161.00	11.27	172.27	193.00	13.51	206.51	169.00	11.83	180.83	217.21
- Cremation	59.00	4.13	63.13	70.00	4.90	74.90	62.00	4.34	66.34	76.18
- Cremorial	110.00	7.70	117.70	126.00	8.82	134.82	116.00	8.12	124.12	141.24
- Columbarium	407.00	28.49	435.49	488.00	34.16	522.16	427.00	29.89	456.89	547.84
- Mansion of Memories (Stoney Creek)										
Lowering (Includes Opening, Removal, Lowering, Closing)										
- Adult - 6 ft. to 8 ft. - shell	1,911.00	133.77	2,044.77				2,007.00	140.49	2,147.49	5%
- Adult - 6 ft. to 8 ft. - concrete vault/crypt	1,591.00	111.37	1,702.37				1,671.00	116.97	1,787.97	5%
- Child - 6 ft. to 8 ft. - 5 to 10 years	678.00	47.46	725.46				712.00	49.84	761.84	5%
- Child - 6 ft. to 8 ft. - under 5 years	569.00	39.83	608.83				597.00	41.79	638.79	5%
Removals										
- Adult - Shell	1,739.00	121.73	1,860.73				1,826.00	127.62	1,953.62	5%
- Adult - Concrete vault or crypt	1,420.00	99.40	1,519.40				1,491.00	104.37	1,595.37	5%
- Child - Shell	601.00	42.07	643.07				631.00	44.17	675.17	5%
- Child - Concrete vault or crypt	491.00	34.37	525.37				516.00	36.12	552.12	5%
- Cremation	161.00	11.27	172.27				169.00	11.83	180.83	5%

SCHEDULE OF USER FEES AND OTHER REVENUES

PUBLIC WORKS - CEMETERIES DIVISION

	1996				1997				% Increase Over 1996				
	Resident & Realty Taxpayers		Non-Residents		Resident & Realty Taxpayers		Non-Residents						
	Cost	G.S.T.	Total	Cost	G.S.T.	Total	Cost	G.S.T.		Total			
FOUNDATIONS AND MARKERS													
- Foundation - pouring per square inch of surface area (6 feet deep)	1.01	0.07	1.08	1.23	0.09	1.32	1.06	0.07	1.13	1.26	0.09	1.36	5%
FOUNDATIONS AND MARKERS													
- 12" X 10" & Child's 18" X 14"	79.00	5.53	84.53	95.00	6.65	101.65	83.00	5.81	88.81	100.00	7.00	107.00	5%
- all other Flat Markers	120.00	8.40	128.40	144.00	10.08	154.08	126.00	8.82	134.82	151.00	10.67	161.67	5%
- Bronze Vase	120.00	8.40	128.40	144.00	10.08	154.08	126.00	8.82	134.82	151.00	10.67	161.67	5%
- D.V.A. Upright	101.00	7.07	108.07	101.00	7.07	108.07	106.00	7.42	113.42	106.00	7.42	113.42	5%
- D.V.A. Flat	101.00	7.07	108.07	101.00	7.07	108.07	106.00	7.42	113.42	106.00	7.42	113.42	5%
SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE													
- Adult Single Grave	487.00	34.09	521.09	602.00	42.14	644.14	511.00	35.77	546.77	632.00	44.24	676.24	5%
- Preferred Single Grave	815.00	57.05	872.05	1,007.00	70.49	1,077.49	856.00	59.92	915.92	1,057.00	73.99	1,130.99	5%
- Child - single in a row - case up to 24"	54.00	3.78	57.78	64.00	4.48	68.48	54.00	3.78	57.78	64.00	4.48	68.48	0%
- Child Single Grave	117.00	8.19	125.19	152.00	10.64	162.64	117.00	8.19	125.19	152.00	10.64	162.64	0%
- case 24" to 60"	172.00	12.04	184.04	207.00	14.49	221.49	172.00	12.04	184.04	207.00	14.49	221.49	0%
- case 61" to 72"	284.00	19.88	303.88	330.00	23.10	353.10	340.00	23.80	363.80	408.00	28.56	436.56	20%
- Urn Garden	463.00	32.41	495.41				466.00	34.02	500.02				5%
- Veteran's Grave	1,953.00	137.06	2,090.06	2,331.00	163.17	2,494.17	2,154.00	150.78	2,304.78	2,448.00	171.36	2,619.36	10%
- Two-Grave Lot	1,525.00	106.75	1,631.75	1,908.00	133.42	2,041.42	1,601.00	112.07	1,713.07	2,001.00	140.07	2,141.07	5%
- Two-Grave Lot - Eastlawn	2,791.00	195.37	2,986.37	3,491.00	244.37	3,735.37	2,931.00	205.17	3,136.17	3,668.00	256.62	3,924.62	5%
- Three-Grave Lot - Woodland	6,759.00	473.13	7,232.13	8,444.00	591.08	9,035.08	7,097.00	496.79	7,593.79	8,868.00	620.82	9,488.82	5%
- Four-Grave Lot	3,658.00	256.06	3,914.06	4,653.00	325.71	4,978.71	3,841.00	268.67	4,109.67	4,888.00	342.02	5,230.02	5%
- Woodland Section 15	3,438.00	240.86	3,678.86	4,363.00	305.41	4,668.41	3,610.00	252.70	3,862.70	4,581.00	320.67	4,901.67	5%
- Eastlawn / Woodland	1,302.00	91.14	1,393.14	1,431.00	100.17	1,531.17	1,367.00	95.69	1,462.69	1,503.00	105.21	1,608.21	5%
- Four-Grave Lot - Trinity	857.00	59.99	916.99	1,028.00	71.96	1,099.96	900.00	63.00	963.00	1,078.00	75.53	1,153.53	5%
- Mansion of Memories - Mausoleum crypt	1,017.00	71.19	1,088.19	1,221.00	85.47	1,306.47	1,118.00	78.26	1,196.26	1,342.00	93.94	1,435.94	10%
- Cremorial	1,017.00	71.19	1,088.19	1,221.00	85.47	1,306.47	1,017.00	71.19	1,088.19	1,221.00	85.47	1,306.47	0%
- Columbarium - upper level													
- Columbarium - lower level													
- Monument Columbarium													
- 40% of Grave and Lot sales goes into Care & Maintenance													
- 20% of Mausoleum Crypt sales goes into Care & Maintenance													
- 15% of Columbarium and Cremorial sales goes into Care & Maintenance													

SCHEDULE OF USER FEES AND OTHER REVENUES

PUBLIC WORKS - CEMETERIES DIVISION

	1996			1997			% Increase Over 1996
	Resident & Realty Taxpayers			Non-Residents			
	Cost	G.S.T.	Total	Cost	G.S.T.	Total	
ADDITIONAL SERVICES							
- Youth	308.00	21.56	329.56	308.00	21.56	329.56	0%
- Social Services	300.00	21.00	321.00	300.00	21.00	321.00	0%
- Intermediate	330.00	23.10	353.10	330.00	23.10	353.10	0%
- Oversize	350.00	24.50	374.50	350.00	24.50	374.50	0%
- Miscellaneous:							5%
- Tent in Cemetery	148.00	10.36	158.36	155.00	10.85	165.85	5%
- Rental of tent outside cemetery	202.00	14.14	216.14	212.00	14.84	226.84	5%
- Transfer fee \$40 + G.S.T.	43.00	3.01	46.01	45.00	3.15	48.15	5%
- Bronze Memorial Plaque for Columbarium Niche	301.00	21.07	322.07	316.00	22.12	338.12	5%
- Companion Vase on Columbarium Niche	56.00	4.13	60.13	62.00	4.34	66.34	5%
- Bronze Memorial Plaque for Cremorial	134.00	9.38	143.38	141.00	9.87	150.87	5%
- Supply, install and maintain flower bed to maximum three graves - per grave	107.00	7.49	114.49	112.00	7.84	119.84	5%
- Memorial Tree Planting, 12X10 stone, 6X8 Bronze Plaque 3 Lines	375.00	26.25	401.25	394.00	27.59	421.59	5%
- Memorial Bench - 6X5 Bronze plaque - 3 lines	535.00	37.52	572.52	563.00	39.41	602.41	5%
- Flower Pot Hanger	16.00	1.12	17.12	17.00	1.19	18.19	5%
- Temporary Marker				43.00	3.01	46.01	
Note: Special Lettering which carries an extra charge will be added to plaque charge							
NOTE : PERSONAL COLUMBARIUM AND MAUSOLEUM ARE AVAILABLE ON INDIVIDUAL BASIS							
Family research \$2.00 per name							
CARE AND MAINTENANCE FUND							
- markers and upright monuments:							
- any flat marker under 173 sq. in.	N/C			N/C			0%
- any flat marker over 173 sq. in.	50.00	3.50	53.50	50.00	3.50	53.50	0%
- any upright monument <= 4 ft. in length/height	100.00	7.00	107.00	100.00	7.00	107.00	0%
- any upright monument over > 4 ft. in length/height	200.00	14.00	214.00	200.00	14.00	214.00	0%
Provincial Regulation - these funds are set and trusted							

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Amend:

Zoning By-law No. 6593
As Amended By Zoning By-law No. 91-175

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 1425 AND 1429 UPPER JAMES
STREET**

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 91-175 on the 24th day of September, 1991 to rezone Block 1 from "AA" (Agricultural) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District and Block 2 from "C" (Urban Protected Residential, etc.) District to "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District and to establish special requirements with respect to Blocks 1 and 2, the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan thereto annexed as Schedule "A", which By-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS Section 2 of By-law No. 91-175 provides that upon the approval of a Site Plan incorporating Blocks 1 and 2 with the adjoining lands to the south and east, the 'H' symbol shall be removed by amendment to By-law No. 91-175;

AND WHEREAS approval of a Site Plan as deemed necessary by the City has been received.

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

AND WHEREAS City Council in adopting Item 10 of the 20th Report of the Planning and Development Committee at its meeting held on the 10th day of December, 1996 directed that By-law No. 91-175 be amended to remove the 'H' (Holding) symbol in respect of the subject lands.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 91-175, passed on the 24th day of September, 1991, to the "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District designation of Blocks 1 and 2, the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan annexed as Schedule "A" to By-law No. 91-175 and forming part thereof is hereby removed, and the development of the lands may proceed in accordance with the "HH" (Restricted Community Shopping and Commercial) District provisions of Zoning By-law No. 6593, subject to the special requirements referred to in section 3. of By-law No. 91-175.

2. Sheets No. E-9C and E-9D of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1. of By-law No. 91-175, are further amended by changing from "HH" - 'H' (Restricted Community Shopping and Commercial - Holding) District to "HH" (Restricted Community Shopping and Commercial) District, the land, the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 3 of By-law No. 91-175.

4. By-law No. 6593, as amended by By-law No. 91-175, is further amended by adding this by-law to section 19B as Schedule S-1242a.

5. Sheets No. E-9C and E-9D of the District Maps, as amended by By-law No. 91-175, are amended by marking the lands referred to in section 1. of this by-law, S-1242a.

6. In all other respects, By-law No. 91-175 is hereby confirmed, unchanged.

PASSED this

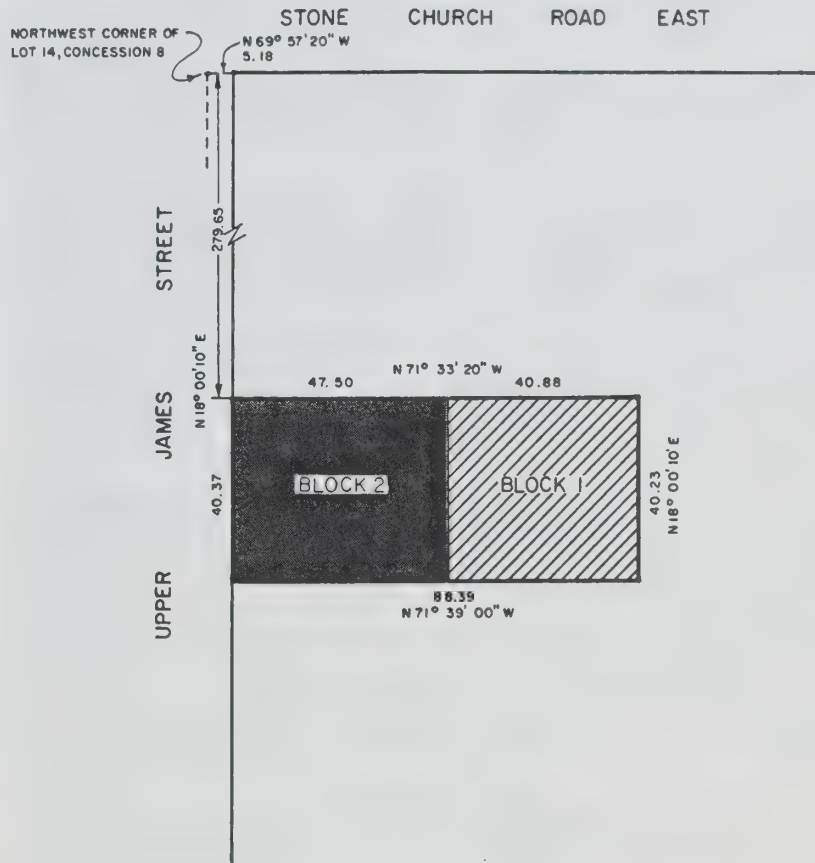
day of

A.D. 1996.

CITY CLERK

MAYOR

(1996) 20 R.P.D.C.¹⁰, December 10
859778 Ontario Inc. (Domenic Carnicelli), owner
ZAR-94-28



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 96-.....
Passed the day of, 1996.

.....
Clerk

.....
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 96-.....
to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend



Lands to be regulated by
By-Law No. 96-.....

North



Scale
Not to Scale

Date
JULY 1996

Reference File No.
ZAR-94-28

Drawn By
E. C.

The Corporation of the City of Hamilton

BY-LAW NO. 96-

**A BY-LAW TO REGULATE THE SIZE, USE, LOCATION
AND MAINTENANCE OF MOBILE SIGNS ON PRIVATE
PROPERTY WITHIN THE CITY OF HAMILTON**

WHEREAS Section 210, paragraph 146 of the Municipal Act R.S.O. 1990, c.M. 45, authorizes a council of a local municipality to pass by-laws for prohibiting or regulating signs and other advertising devices or any class or classes thereof,

AND WHEREAS the Council of The Corporation of the City of Hamilton has deemed it desirable to enact a by-law regulating the size, use, location and maintenance of mobile signs on private property for the purpose of ensuring that mobile signs minimize hazards to pedestrian and vehicular traffic,

AND WHEREAS Council has deemed it desirable to enact a by-law which imposes restrictions on the number of mobile sign permits that will be issued and to limit the amount of time a mobile sign can be placed in one location for the purpose of maintaining and preserving the aesthetic integrity of the urban landscape,

AND WHEREAS Council is empowered under Section 326 of the Municipal Act, R.S.O. 1990, c.M.45, to require compliance with this by-law, and upon default of such compliance, may carry out such corrective action as is deemed appropriate and may recover the expenses incurred in doing so in like manner as municipal taxes,

AND WHEREAS Council is empowered under Section 320 of the Municipal Act, R.S.O. 1990, c.M.45 to impose fines for the contravention of any by-law,

NOW THEREFORE the Council for The Corporation of the City of Hamilton **ENACTS** as follows:

ADMINISTRATION AND GENERAL PROVISIONS

Definitions

1. In this By-law,

- (a) "agent" means a person designated by another person to act on his behalf;
- (b) "applicant" means a person applying for a mobile sign permit under this By-law;
- (c) "business" means any one activity, dealing, occupation or trade of either a commercial, industrial or professional endeavour as carried out or engaged in, at an establishment;
- (d) "Chief Building Official" means the person appointed by the Council as the Chief Building Official for the City of Hamilton and includes his designate;
- (e) "City" means the City of Hamilton in the Regional Municipality of Hamilton-Wentworth;
- (f) "commercial district" means property that is zoned commercial as defined under City of Hamilton Zoning By-law 6593 as amended;
- (g) "commercial or industrial complex" includes a shopping centre, shopping mall, shopping plaza, strip plaza, mall or place and is a group of three or more commercial uses excluding professional and administrative offices;
- (h) "Corporation" means The Corporation of the City of Hamilton;
- (i) "Council" means the Council for The Corporation of the City of Hamilton;
- (j) "daylight triangle" means an area of a corner lot which is determined after the side lot line adjacent to the street and the street lot line have been extended to their point of intersection and by measuring from the point of intersection of the two lot lines a distance of 9.0m, along each lot line and joining such points with a straight line. The triangularly-shaped land between the point of intersection of such lot lines and the straight line joining the points at the designated distance along each such lot line shall be known as the "daylight triangle";
- (k) "downtown core" means the area shown on Schedule "A" of this By-law;
- (l) "electronic variable message centre (EVMC)" means an illuminated sign or part thereof which is computer controlled and which displays information to the public or attracts attention to the message by way of a pre-arranged or

- variable sequence of electronically generated letters, words, light patterns or shapes;
- (m) "erect" includes the placing of, arranging for the placing of, the renting of, or the leasing of;
 - (n) "flashing mobile sign" means a mobile sign equipped with an intermittent or flashing light source;
 - (o) "street lot line" means the line that divides a lot from a street, but not a lane or alleyway;
 - (p) "grade" means the average level or elevation of the finished surface of the ground adjoining a building at all of the exterior walls or the mobile sign structure at the point of contact with the ground but shall not include any artificial embankment or planter box;
 - (q) "illumination" means lighting of the sign, in whole or in part by artificial means. Internal illumination means lighting the sign face with a light source located within the sign; external illumination means having a light source exterior to the sign and on, or directed at the sign, and flashing illumination means illumination that varies and is perceived to vary in intensity or design at periodic intervals;
 - (r) "industrial district" means property that is zoned industrial and defined under City of Hamilton Zoning By-law 6593 as amended;
 - (s) "message board" means that part of a sign on which the copy, characters, symbols or letters used to create the sign message are displayed, and "display surface" shall have a similar meaning;
 - (t) "mobile sign" means a sign mounted on a trailer or other free standing structure which is designed in such a manner so as to facilitate its movement from place to place, but does not include a sign attached to a motorized vehicle where the principle use of the vehicle is the transportation of people, goods or other materials;
 - (u) "mobile sign permit" means a mobile sign permit issued by the Chief Building Official or his designate pursuant to the provisions of this By-law for the legal display of a mobile sign;
 - (v) "motorized vehicle" means an automobile, truck, motorcycle or similar self-propelled means of transport but does not include a trailer;
 - (w) "multiple address location" means a location where two or more municipal addresses are contained in the same commercial or industrial complex or place;
 - (x) "permit holder" means a person who holds a valid mobile sign permit issued under this By-law;
 - (y) "person" means an individual, firm, corporation, association or partnership and includes an owner and lessee of a property;
 - (z) "premises" means specific property, and includes all buildings and accessory structures thereon;
 - (aa) "property" means and refers to the location where a sign is to be positioned for display, or is displayed, or can be a reference to a specific street address of a business and includes a multiple address location;
 - (bb) "sign" means any medium or device including its structure and other component parts which is used or capable of being used to attract attention to a specific matter other than itself, for identification, information, business promotion or advertising purposes;
 - (cc) "sign area" means the number of square metres on the surface of a sign including the border and/or frame, and where there is no border shall include all the area of the surface lying within the extremities of the smallest geometric form which can wholly enclose the surface area of the sign;
 - (dd) "sign height" means the vertical distance measured from the proposed or finished grade immediately below the sign to the highest extremity of the sign including the border or frame; and,
 - (ee) "unsafe sign" means a sign which is either structurally unsafe, or which constitutes a fire or safety hazard, or impedes the movement of vehicular or pedestrian traffic, or which would otherwise constitute a risk to the safety of persons or premises.

Administration

2. The Chief Building Official or his designate shall:

- (a) receive and process all applications for mobile sign permits required under this By-law;
- (b) administer the issuance of mobile sign permits in accordance with provisions of this By-law;
- (c) maintain and keep records of all applications received for mobile sign permits and records of all mobile sign permits issued;
- (d) generally perform administrative functions incidental and necessary to the due administration and enforcement of this By-law.

Mobile Sign Permits

3. No person or his agent shall erect, display or otherwise use a mobile sign, without first obtaining a mobile sign permit as provided by this By-law.
4. A person or his agent, may obtain a mobile sign permit if:
 - (a) he completes an application form provided by the Chief Building Official or his designate;
 - (b) he files, as may be required by the Chief Building Official, in duplicate, a sketch of sufficient detail and quality as is necessary to ascertain whether or not the mobile sign will be in compliance with this By-law with accurate measurements of distances showing the intended location of the mobile sign and from that location the:
 - (i) distance to the nearest street lot line;
 - (ii) distance to the nearest edge of pavement of the nearest roadway;
 - (iii) distance to the nearest edge of pavement at the intersection of two or more streets;
 - (iv) distance to the nearest edge of the nearest mobile sign;
 - (v) distance to the nearest edge of a building;
 - (vi) distance to the nearest residential property; and
 - (c) he files, as may be required by the Chief Building Official, measurements of the size of the mobile sign and it's supporting framework.
5. The number of days that a mobile sign is erected or displayed, shall be determined from the date and including the day of permit issuance, or date of erection if the mobile sign was erected prior to permit issuance.
6. The Chief Building Official or his designate may require a person, or his agent to provide proof of interest either as a lessee, renter, tenant or owner of the property on which the mobile sign is to be located, and/or a legal survey of the property on which the mobile sign is located or is intended to be located.
7. At any one property a maximum of two (2) mobile sign permits may be granted at any one time provided that there is a minimum distance of 30 meters between each mobile sign on the same property.
8. No mobile sign permit shall be issued for a property, person or business at a municipal address or location where thirty (30) days have not transpired since the expiry date on the previous mobile sign permit for that property.
9. No person shall make application for a mobile sign permit who is not the owner, or the authorized agent of the owner of the property on which the mobile sign is to be placed.
10. No person, or his agent shall submit false or misleading information or documents or make omissions that may mislead in connection with any application for a mobile sign permit, or revision thereto.
11. No person, or his agent shall apply for or receive, more than twelve (12) mobile sign permits for any property within any one (1) calendar year in accordance with section 7 above.
12. Applications will be processed in order of date and time received but no permit will be issued for a property which already has a mobile sign permit and until that mobile sign permit has expired.

13. A person or his agent or a permit holder may erect, display or otherwise use a mobile sign or cause to erect, display or otherwise use a mobile sign where the sign is not in the "downtown core" (as defined on Schedule "A" to this By-law) and:
- (a) is located on property which is zoned as:
 - (i) a "commercial district" including:
 - 1. the "G" Districts including "G", "G-1", "G-2" and "G-4" [except "G-3" (Public Parking Lot) District]; and
 - 2. the "H" and "HH" Districts; or
 - (ii) an "industrial district" including:
 - 1. the "J" and "JJ" Districts;
 - 2. the "K" and "KK" Districts; and
 - 3. the "M" Districts, including "M-11", "M-12", "M-13", "M-14", and "M-15";
 - (b) is in good repair and has not become unsafe, unsightly or dangerous;
 - (c) is situated at grade;
 - (d) where it is electrically illuminated, has Ontario Hydro safety code approval;
 - (e) where it is utilizing electrical power, uses only an electrical cord that has C.S.A. approval;
 - (f) is located on private property and is not located on a road allowance;
 - (g) where it is located within 100 feet (30.5 metres) of a residential zone, is equipped with a timer to turn off the light source in order to eliminate any annoyance to persons in the adjoining residential zones between the hours of 10:00 P.M. and 8:00 A.M.;
 - (h) has the name and telephone number of the owner of the mobile sign affixed to the mobile sign at a clearly visible location;
 - (i) has not greater than 5.6m² of sign area per face with no one dimension greater than 2.4m; and
 - (j) has a sign height that does not exceed 2.4m.
14. No person, or his agent or permit holder, shall erect, permit to be erected, display or otherwise use a mobile sign or cause to erect, display or otherwise use a mobile sign on lands or buildings owned, rented, leased or occupied by them:
- (a) for more than six (6), fifteen (15) consecutive day increments based on the calendar year at any property to which the mobile sign permit was issued;
 - (b) on a property where a previous mobile sign permit has expired and no further permits are available in accordance with subsection (a) above;
 - (c) the content of which would indicate a contravention of any zoning or other by-law, Act or regulation enforceable in the municipality, or which would identify, advertise or provide information in relation to a use or occupancy not permitted under a Zoning By-law;
 - (d) contrary to the approved location on a sketch, and contrary to information on the application, in respect of which the mobile sign permit was issued;
 - (e) so as to obstruct openings required for light and ventilation, any required means of egress or required access for fire fighting;
 - (f) at any location where the sign obstructs the sightlines and view of any pedestrian or driver of a motor vehicle or obstructs the visibility of any traffic sign or device;
 - (g) which obstructs or otherwise interferes with an exit door or fire escape, fire exit route, fire hydrant, or yard hydrant so as to prevent or impede the free access of emergency vehicles and personnel to emergency equipment or to any part of a building requiring such access;
 - (h) which obstructs or otherwise impedes the parking of a motor vehicle or is situated in a required parking or manoeuvring area;
 - (i) with electrical wiring in the path of vehicular or pedestrian traffic;
 - (j) which has flashing or moving lights;
 - (k) which has moving, spinning or rotating parts or has any mechanical or electronic device to provide or simulate motion;
 - (l) which in whole, or in part is an electronic variable message centre;
 - (m) which emits illumination resembling an emergency light or traffic regulating device;
 - (n) prior to the issue date or after the expiry date as set out in the mobile sign permit;
 - (o) which would be an unsafe sign;
 - (p) within 50 feet (15 metres) of the closest edge of the nearest mobile sign;
 - (q) within 30 feet (9 metres) of the intersection of two streets;

- (r) within 50 feet (15 metres) of a residential district;
 - (s) where the setback from property lines to the mobile sign is less than 1.5 metres;
 - (t) where the mobile sign is elevated on any temporary or permanent object which is being used as the base for a mobile sign or part of a mobile sign structure;
 - (u) where the property is zoned anything other than that indicated in section 13;
 - (v) where the property on which the mobile sign is located is zoned "residential";
 - (w) where the property on which the mobile sign is situated is located, in the downtown core as shown on Schedule "A" of this By-law;
 - (x) where two mobile sign permits have already been issued for the property and have not expired;
 - (y) where the mobile sign would not comply with this or any other by-law;
 - (z) which has more than two sign faces or any one sign face which exceeds 5.6m² in area or has any one dimension that is greater than 2.4m;
 - (aa) which has a maximum height measured from grade greater than 2.4m; and
15. A person or his agent shall place the mobile sign at the municipal address of the person named on the application.
 16. The permit fee as set out in Schedule "B" shall be submitted with each application for a mobile sign permit.
 17. The permit fee as set out in Schedule "B" does not apply to an application for a City of Hamilton sponsored event.

REVOCATION OF A PERMIT

18. A mobile sign permit may be revoked by the Chief Building Official or his designate under the following circumstances:
 - (a) where the mobile sign does not conform to this By-law and amendments thereto;
 - (b) where the mobile sign does not conform to any regulation, law or requirements of any governmental authority having jurisdiction over the area where the sign is situated;
 - (c) where the mobile sign permit has been issued as the result of false, incorrect or misleading statements;
 - (d) where the mobile sign permit has been issued in error by the Chief Building Official or his designate.

VARIANCES

19. (a) Where the applicant or person in control of a sign for any reason is unable to comply with the provisions and regulations under this by-law, such person may apply to the Council for a minor variance from the provisions and regulations of this by-law.

The Council shall hear all such applications and may authorize minor variances from the provisions and regulations of this by-law.

- (b) All applications for a minor variance shall be submitted to the Chief Building Official and must be accompanied by a cheque or cash, in the amount of three hundred dollars (\$300.00). The variance fee shall not be refundable.

PENALTIES AND ENFORCEMENT

Removal of Illegal Mobile Signs

20. (a) When a mobile sign is erected or displayed in contravention of the provisions of this By-law, the mobile sign shall be removed immediately without notice, where located on, over, partly on, or partly over, property owned by or under the jurisdiction of the City of Hamilton;

- (b) Where a mobile sign is located on property other than property owned by or under the jurisdiction of the City of Hamilton, the Chief Building Official or his designate may forward a notice, by personal service or regular post, to the Lessee or owner of the sign, or their agents, or to the person or agent having the use or major benefit of the mobile sign, requiring that the mobile sign be permanently removed within the time specified in the Notice and thereafter not replaced with any mobile sign in contravention of this By-law;
- (c) If the Notice is not complied with the Chief Building Official or his designate may require that the municipality, its employees, or an independent contractor enter upon the land and remove such mobile sign. The owner of the land upon which the mobile sign was located shall pay for any costs or expenses of the City. Such costs or expenses may be recovered in like manner as municipal taxes under the provisions of Section 326 of the Municipal Act, R.S.O. 1990, c.M.45 as amended from time to time;
- (d) where a mobile sign is deemed by the Chief Building Official or his designate to be in such a condition or location that it is or may be a hazard to the public, the Chief Building Official or his designate may either serve written notice to the owner or tenant of the property on which, or in front of which such mobile sign is located, to remove such mobile sign or make the same safe, or without giving notice to the owner or tenant of the property on which such mobile sign is located, cause such mobile sign or structure to be removed;
- (e) any sign removed pursuant to this Section may be deposited on the property on which or in front of which it was located or removed;
- (f) mobile signs removed shall be stored by the City for a period of time of not more than thirty (30) days, during which time the owner or his agent may be entitled to redeem such mobile sign upon the payment to the City of a one hundred dollar (\$100.00) fee in addition to any applicable costs or expenses referred to in subsection (c) above;
- (g) where a mobile sign has been removed by the City and stored for a period of 30 days and has not been redeemed, such mobile sign shall be forthwith destroyed or otherwise disposed of by the City.

Penalty for Non-Compliance

- 21. (a) Any person who, on his own or by his agent, contravenes any of the provisions of this By-law is guilty of an offence and liable upon conviction under the Provincial Offences Act, R.S.O. 1990, c. P.33, as amended from time to time to a fine of not more than five thousand dollars (\$5,000.00), exclusive of costs, for each offence. Each day such violation is committed, or permitted to continue, shall constitute a separate offence and may be punishable as such thereunder. Such fine shall be recoverable under the Provincial Offences Act.
- (b) Where a person has been convicted of an offense under this By-law the Court may in addition to any other penalty imposed on the person convicted, issue an order prohibiting the continuation or repetition of the offense or the doing of any act or thing by the person convicted, directed toward the continuation or repetition of the offense.
- (c) Neither the granting of a permit nor the approval of the drawings and specifications, nor inspection made by the authority having jurisdiction during the erection of a sign shall, in any way, relieve the owner of such sign, tenant or the owner of property on which the sign is located, from full responsibility for carrying out the work in accordance with the provisions of this By-law.

Liability

- 22. Any persons erecting or maintaining any mobile sign or on whose property a mobile sign is located, shall be liable for such mobile sign. The municipality is hereby indemnified from and against all manner of claims for damages, loss, expense or otherwise arising from the erection, maintenance, removal or falling of such mobile sign or part thereof.

Notice

23. Any notice required to be given under this By-law is sufficiently given if delivered personally or sent by regular mail addressed to the person making application for permit to erect a mobile sign, or where such sign is existing, by ordinary mail to the owner or tenant, according to the last revised Assessment Roll of the municipality, of the property on which, or in front of which, the sign is located, or at the last address for delivery appearing on the records of the Chief Building Official or his designate.

Schedules

24. All schedules referred to in this By-law and attached to this By-law shall be deemed to be a part of the By-law.

Applicability

25. This By-law shall be applicable to all lands within the corporate limits of the City of Hamilton.

Validity

26. If a court of competent jurisdiction declares any provisions or part of a provision, of this By-law to be invalid or to be of no force and effect, it is the intention of the Council in enacting this By-law, that each and every other provision of this By-law authorized by law, be applied and enforced in accordance with its terms to the extent possible according to law.

Meaning

27. For the purpose of this By-law, where the words "his" or "he" is used they shall also mean or stand for the words "her" "she" and "it" in the case of a corporation.

Short Title

28. This By-law shall be known as the Mobile Sign By-law.

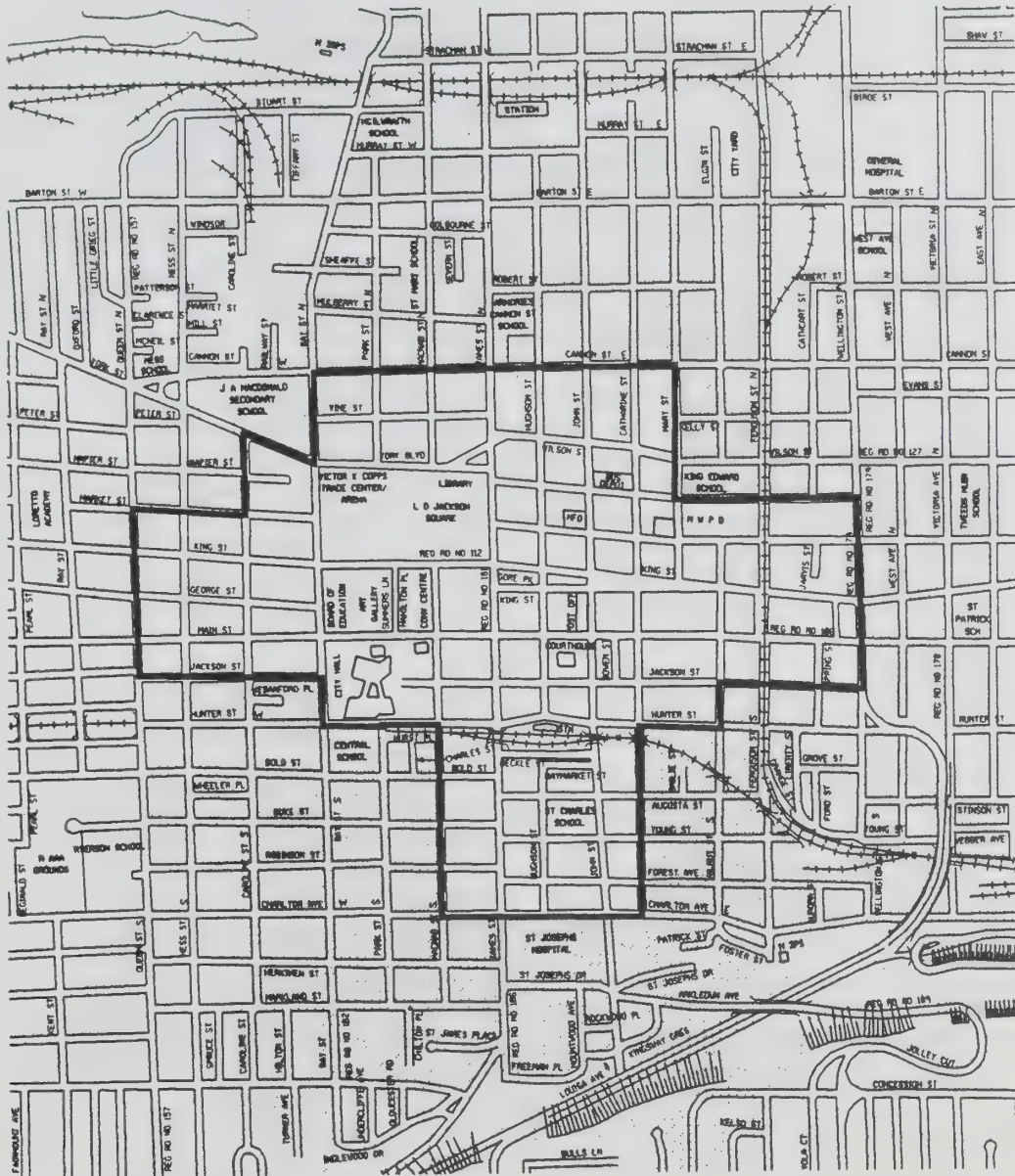
Effective Date

29. This By-law comes into force and takes effect on the 11th day of December, 1996.

PASSED this 10th day of December, 1996, A.D..

CITY CLERK

MAYOR



This is Schedule "A" to By-Law No. 96 -
 Passed the day of, 1996.

.....
 Clerk

.....
 Mayor

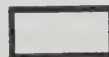
City of Hamilton

Schedule A

Map Forming Part of
 By-Law No. 96-.....

Planning and Development Department

Legend



Delineates Boundary of Downtown Core

North

25

Scale
 NOT TO SCALE

Date
 April 1996

Reference File No.
 CI-91-1

Drawn By
 R.L.

SCHEDULE "B"

PERMIT FEES

All permit applications shall be submitted to the Chief Building Official and must be accompanied by a cheque or cash, in the amount of thirty-five (\$35.00) per two week period.

The Corporation of the City of Hamilton

BY-LAW NO. 96-

To Authorize the Temporary Borrowing of Monies to Meet Current Expenditures Pending Receipt of Current Revenues.

WHEREAS section 187(1) of the Municipal Act, R.S.O. 1990, as amended, provides as follows:

"A council may by by-law either before or after the passing of the by-law for imposing the rates for the current year authorize the head and treasurer to borrow from time to time by way of promissory note or banker's acceptance such sums as the council considers necessary to meet, until the taxes are collected and other revenues are received, the current expenditures of the corporation for the year, including the amounts required for sinking funds,, principal and interest falling due within the year upon any debt of the corporation, school purposes, special rates purposes, and for any board, commission or body and other purposes for which the corporation is required by law to provide";

AND WHEREAS Section 187(2) of the said Act, as amended by the Municipal Statute Law Amendment Act, S.O. 1992, c. 15 provides as follows:

"The amount that may be borrowed at any one time for the purposes mentioned in subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year";

AND WHEREAS the Council of the Corporation of the City of Hamilton (hereinafter called the "Municipality") in adopting Item of the Report of the Finance and Administration Committee on 3rd December 1996 authorized the temporary borrowing of monies to meet current budget expenditures for the year 1997 pending receipt of current revenues;

NOW THEREFORE the Council of The Corporation of the City of Hamilton hereby enacts as follows:

1. (1) The Mayor and Treasurer are hereby authorized on behalf of the Corporation of the City of Hamilton to borrow from time to time by way of promissory note from the **CANADIAN IMPERIAL BANK OF COMMERCE** a sum or sums of monies not exceeding at any one time the amounts specified in subsection (2) to pay off temporary bank overdrafts for the current expenditures of the Corporation for the year 1997 and to give to the Bank on behalf of the Corporation a promissory note or notes, sealed with the Corporate Seal and signed by the Mayor and Treasurer, for the monies so borrowed, together with interest at such rate as may be agreed upon from time to time with the Bank.
- (2) The amount of monies that may be borrowed at any one time for the purposes of subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed from January 1st to September 30th of the year, 50 percent of the total, and from October 1st to December 31st, 25% of the total of the estimated revenues of the corporation as set forth in the estimates adopted for the year.

2. (1) Until estimates of revenue of the Corporation for the 1997 year are adopted, borrowing shall be limited to the estimated revenues of the Corporation as set forth in estimates adopted for the next preceding year.

(2) The total estimated revenues of the Corporation, including the amounts levied for Region and Education purposes, adopted for the year 1996 are Five Hundred and Thirteen Million, Four Hundred and Ninety Four Thousand and Three Hundred and Fifty Dollars (\$513,494,350.00).
3. All sums borrowed pursuant to the authority of this by-law, together with any and all similar borrowings in the current year and in previous years that have not been repaid shall, together with interest thereon, be a charge upon the whole of the revenues of the Corporation for the current year and for all preceding years, as and when such revenues are collected or received.
4. The Treasurer shall, and is hereby authorized and directed to, apply in payment of all sums borrowed pursuant to this by-law, together with interest thereon, all of the monies thereafter collected or received for the current and preceding years, either on account or realized in respect of taxes levied for the current year and preceding years or from any other sources which may lawfully be applied for such purpose.
5. By-law 96-009 is repealed.
6. This by-law shall come into force and effect on the 1st day of January, 1997, and shall remain in force and effect until December 31, 1997.

APPROVED
AS TO FORM
i-f/r
PNJ
CITY SOLICITOR

PASSED this

day of

A.D., 1996.

CITY CLERK

MAYOR

BY-LAW NO. 96 -

CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF HAMILTON AT ITS MEETING HELD ON THE 10TH DAY OF DECEMBER A.D., 1996.

WHEREAS by Section 9 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario, 1990, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 101 of the Municipal Act, being Chapter M-45 of the Revised Statutes of Ontario 1990, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of The Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Acting City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this 10th day of December A.D. 1996

CITY CLERK

MAYOR



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